Western Metropolitan Regional Council

Managing waste wisely

Minutes

ORDINARY COUNCIL MEETING (OC 01/19)

7 February 2019
Commencing at 5:30 pm

Town of Cottesloe
109 Broome St
Cottesloe WA 6011

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1. DECLARATION OF OPENING

The Chairman welcomed everyone and declared the meeting opened at 5:32pm

2. RECORD OF ATTENDANCE AND APOLOGIES

Councillors

Cr. C Hohnen	Chairman	Shire of Peppermint Grove
Cr. B Haynes	Deputy Chairman	Town of Claremont
Cr. A Maurice	Member	Town of Mosman Park
Cr. M Rodda	Member	Town of Cottesloe

Staff

Mr. S Frodsham	Chief Executive Officer	WMRC
Ms. A Bell	Manager Finance & Governance	WMRC
Ms. A Hynes	Manager Operations	WMRC
Ms. L Eustance	Manager Communications & Education	WMRC
Mr. B Marchbank	Project Officer	WMRC
Ms. A Christie	Support Services Officer	WMRC

Leave of Absence

Nil

Visitors

Mr. P Ward	Barrister	Francis Burt Chambers
Mr. L Wilk	Solicitor	Jones Day

Observers

Apology

Cr. S Stroud	Member	City of Subiaco

3. DISCLOSURES OF INTERESTS

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS, APPROVED DEPUTATIONS AND PUBLIC STATEMENTS

Nil

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1. The Post newspaper has inquired after the WMRC's legal expenses in 2017-18. The CEO has responded to the inquiry. An article about the matter may appear in the Post newspaper.
2. At the request of Member Council Mayors and President, WMRC will conduct a confidential legal briefing for them and their respective CEOs at 3.00 pm, Wednesday 20 February 2019 at the Town of Claremont. WMRC Councillors are requested to attend. WMRC's legal representatives, Mr Peter Ward and Mr Lucas Wilk, will attend to respond to inquiries regarding the status of the legal dispute between the WMRC and DiCOM.

9. CONFIRMATION OF PREVIOUS COUNCIL MINUTES

9.1 CONFIRMATION OF PREVIOUS ORDINARY COUNCIL MEETING MINUTES

Minutes of the previous Ordinary Council Meeting held on 6 December 2018 have been circulated previously under separate cover and are at Attachment 9.1A.

Moved: Cr Rodda Seconded: Cr Maurice

RESOLUTION

9.1.1 **That Council accepts the minutes of the previous Ordinary Council Meeting held on 6 December 2018 as a true and accurate record of proceedings**.

CARRIED 4/0

10. REPORTS OF COMMITTEES AND OFFICERS

10.1 SAFETY MANAGEMENT PROGRESS REPORT

Responsible Officer: **Manager Operations**

Date: **19 January 2019**

Attachment: **Nil**

SUMMARY

Risk and safety management issues are discussed below.

BACKGROUND

Nil

DETAIL

Incidents and Accidents

Nil since previous report to Council.

The following safety actions have occurred in December and January:

A Safety Committee Meeting was held.

Toolbox meetings were held.

New processes to isolate plant from customers in the bulk waste area were introduced.

Training of staff in WMRC procedures continued.

A revised Induction Manual for the Administration Office was developed.

A remote control for the vertical compactor was ordered, which will significantly improve isolation of staff from the fall risk area.

A hazard inspection of the transfer station using a WorkSafe checklist was carried out.

A wide-ranging review of HHW procedures and documentation is being finalised.

High Residual Risk Hazards

Hazards with a high residual risk rating are outlined below. These are unchanged since the last Council meeting.

Hazard	Silos over-tipping while being loaded and crushing people or equipment	Persons (staff/customers) scavenging from waste storage areas/ unauthorised site entry leading to injury
Current Controls	Staff are trained in loading silos and will wait for Site Supervisor if they encounter a problem while loading. Persons are to keep out of downhill area of silos during loading. Property is to be kept out of this area. Covered by SP7-2.	Administrative: staff are aware that waste should not be scavenged where is may pose a safety risk. Staff supervise customer drivers to ensure appropriate behaviour during opening hours.
RRR Likelihood	Unlikely	Likely
RRR Consequence	Major	Moderate
RRR Risk Rating	High	High
RRR Classification	High Residual risk	High Residual risk
Actions Required + Target Dates	Further controls not considered reasonable or practicable: review if situation changes.	Further controls not considered reasonable or practicable: review if situation changes. Not a WMRC activity so cannot develop procedure/JSA/stop activity.

Safety Statistics	November – December 2018	12 Months Ending December 2018	Definition
(HiPo) High Potential Incident	None	None	Incidents involving personnel that didn't reach their ultimate potential and could have resulted in a fatality.
(LTI) Lost Time Injury	None	None	Any work-related injury or occupational illness that results in permanent disability or time lost from work of one day/ shift or more.
(ADI) Alternate Duties Injury	None	None	Any work-related injury or occupational illness which results in a person being unfit for full performance of their regular job on any day after the injury or illness.

(MTI) Medical Treatment Injury	None	None	Any work-related loss of consciousness, injury or occupational illness requiring more than First Aid treatment by a medical practitioner or registered medical personnel but not resulting in lost time.
(FA) First Aid Injury	None	None	Any work-related injury or occupational illness requiring one-time treatment and subsequent observation of minor scratches, cuts, burns splinters etc. which do not require professional medical care.
(NM) Near Miss	None	None	An event which, under slightly different conditions, could have resulted in injury, damage or business loss.

STATUTORY ENVIRONMENT

WMRC has duties under the Occupational Safety and Health Act 1984 (OSH Act) to, so far as is practicable, provide and maintain a working environment in which the employees of the employer are not exposed to hazards.

CONSULTATION

Consultation with site staff on safety matters is carried out regularly at fortnightly toolbox meetings.

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Haynes Seconded: Cr Rodda

RESOLUTION

10.1.1 Council receive the Safety Management Progress Report.

10.1.1 CARRIED 4/0

10.1.2 *Upon arrival of Legal Advisors at 5:40pm*

10.1.3

Moved: Cr Hohnen Seconded: Cr Haynes

That Confidential Items 16.1, 16.2 & 16.3 be heard out of sequence

CARRIED 4/0

10.1.4

Moved: Cr Haynes Seconded: Cr Rodda

That the meeting proceeds behind closed doors, to hear items 16.1, 16.2 & 16.3 at 5:40pm

All staff except CEO Stefan Frodsham and Operations Manager Aimee Hynes, left the room for Items 16.1 at 5:41pm.

Following discussion on Item 16.1, staff were invited to re-enter the room at 6:14pm.

Peter Ward and Lucas Wilk left the meeting at 6:26pm following discussion on Item 16.2.

Moved: Cr Hohnen Seconded: Cr Rodda

That the meeting resume in open session at 7:01pm

CARRIED 4/0

Whilst the meeting was behind closed doors, Council resolved the following:

RESOLUTION

16.1.1 The DiCOM Confidential Progress Report of 30 January 2019 be noted

Moved: Cr Haynes Seconded: Cr Maurice

CARRIED 4/0

RESOLUTION

16.2.1 The WMRC Council request officers to prepare and circulate a draft Replacement WDA.

16.2.2 Additional budget provision be made under general ledger costs for the $10,000 to cover legal advice on drafting a Replacement WDA.

Moved: Cr Haynes Seconded: Cr Rodda

CARRIED 4/0

RESOLUTION

16.3.3 The report be noted.

Moved: Cr Hohnen Seconded: Cr Rodda

CARRIED 4/0

Cr Hohnen left the room at 7:02pm and Cr Haynes took over as Chairman. Cr Hohnen returned at 7:04pm, and Cr Haynes remained as Chairman.

10.2 FINANCIAL STATEMENTS

Responsible Officer:	**Finance and Governance Manager**
Date:	**27 January 2019**
Attachment 10.2A:	**November 2018 Monthly Management Accounts**
Attachment 10.2B:	**December 2018 Monthly Management Accounts**

SUMMARY

This report serves as a monthly summary of the Council's operating financial position. Its primary purpose is to allow Councillors to be able to track budgeted figures to actual outcomes throughout the financial year.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

At its Special Council Meeting of 14 July 2016 meeting Council resolved inter alia to adopt a 10% value for reporting material variances in the Statements of Financial Activity. Accordingly, variances of 10% or more between actual and budgeted monthly figures are accompanied with explanatory notes.

DETAIL

Operating statements are presented for the periods ended 30 November and 31 December 2018.

As at 30 November 2018 Council had an operating deficit of $108,135 compared to a budgeted operating deficit of $14,977 with a variance of $93,158. As at 31 December 2018 Council had an operating deficit of $96,202 compared to a budgeted operating deficit of $15,871 with a variance of $80,331. The year-to-date as at 31 December 2018 operating deficit is $502,755 compared to a budget operating deficit of $67,645 with a variance of $435,110. Note that the Reserve Fund drawdowns are now recognised in the Statement of Financial Position as a movement in Equity and not as budgeted as a Non-operating Grant, Subsidy and Contribution.

STATUTORY ENVIRONMENT

In accordance with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, a Statement of Financial Activity is required to be presented to Council as a minimum requirement. In addition, an explanation of the net current assets of the month to which the statement relates is also required.

In accordance with Regulation 34 (5), a report must be compiled on variances greater than the materiality threshold adopted by Council of 10%. As this report is composed at a summarised level, variance commentary considers the most significant items that comprise the variance.

CONSULTATION

None

REPORT IMPLICATIONS

Policy Implications

The Council's financial reporting is prepared in accordance with its accounting policies. These are reviewed periodically to ensure compliance with legislative and statutory obligations.

Financial Implications

The report represents the financial position of the Council at the end of September and October 2018.

Strategic Implications

Strategic action 6.4 in Western Metropolitan Regional Council's (WMRC) Corporate Business Plan is to *"deliver responsible financial management"*. This includes a key action to *"provide accurate and transparent financial reporting".*

COMMENTS

None

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

10.2.1 Council note the financial statements for the periods ended 30 November 2018 and 31 December 2018.

CARRIED 4/0

10.3 LIST OF PAYMENTS AND SUNDRY DEBTORS

Responsible Officer:	**Finance and Governance Manager**
Author:	**Support Services Officer**
Date:	**31 January 2019**
Attachment:	**Attachment 10.3A November and December accounts paid**
	Attachment 10.3B Sundry debtors 31 January 2019

SUMMARY

The schedule of accounts paid for November and December 2018 are attached. The sundry debtors as at 31 January 2019 are also attached.

BACKGROUND

Nil

DETAIL

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

10.3.1 Council endorses the schedule of accounts paid of $627,807 and $381,513 for the months of November and December 2018 respectively.

10.3.2 Council receives the schedule of sundry debtors outstanding at 31 January 2019.

CARRIED 4/0

10.4 AUDIT COMMITTEE MINUTES

Responsible Officer: **Manager Finance and Governance**

Date: **30 January 2019**

Attachment: **Attachment 10.4A, 10.4B**

SUMMARY

Report to confirm the minutes of the 8 November 2018 Audit Committee meeting, to adopt and certify the draft Compliance Audit Return 2018 and forward it to the Department of Local Government, Sport and Cultural Industries.

BACKGROUND

The draft minutes of the 8 November 2018 Audit Committee were received by the WMRC Council at the OCM of 6 December. These minutes were accepted as a true record of the meeting at the 7 February 2019 Audit Committee and are presented here for confirmation by the WMRC Council.

The draft Compliance Audit Return 2018 was recommended for adoption by Council, certification by the Chairman and Chief Executive Officer for forwarding to the Department of Local Government, Sport and Cultural Industries by 31 March 2019.

DETAIL

The final accepted minutes of the November 2018 Audit Committee Meeting are presented at Attachment 10.4A. The draft Compliance Audit Return is presented at Attachment 10.4B. There were two areas of non-compliance identified in the Compliance Audit, both of which have been rectified:

- Delegations made under Division 4 Part 5 were not reviewed by Council in the 2017/2018 financial year. The Delegations review is presented at this Ordinary Council Meeting.
- The appropriateness and effectiveness of WMRC systems and procedures were the subject of review by the CEO in 2018 but the outcomes of the review were not reported to the Audit Committee, as required by Regulation 17 of the Local Government (Audit) Regulations. These were presented at the 7 February 2019 Audit Committee Meeting.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Part 7

Local Government (Audit) Regulations 1996 – Section 14 and 15

Local Government (Audit) Regulations 1996 – Regulation 17

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Hohnen Seconded: Cr Rodda

RESOLUTION

10.4.1 The Minutes of the 8 November 2018 Audit Committee meeting be received.

10.4.2 The Compliance Audit Return 2018 be adopted by Council, certified by the Chairman and Chief Executive Officer and forwarded to the Department of Local Government, Sport and Cultural Industries by 31 March 2019.

CARRIED 4/0

10.5 MINUTES OF THE CEO ADVISORY COMMITTEE MEETING

Responsible Officer: **Chief Executive Officer**

Date: **30 January 2019**

Attachment: **Attachment 10.5A, 10.5B**

SUMMARY

Presenting the final minutes of the November 2018 CEOAC meeting and the draft minutes of the January 2019 CEOAC meeting for confirmation and reception respectively.

BACKGROUND

The draft minutes of the November 2018 CEOAC meeting were presented at the December 2018 OCM and confirmed at the January 2019 CEOAC meeting as a true and proper record of the meeting. They are presented here for confirmation (Attachment 10.5A).

The draft minutes of the January 2019 CEOAC meeting are presented here for reception (Attachment 10.5B). Relevant action items arising from them are dealt with elsewhere in this Agenda as noted below.

DETAIL

At the January 2019 CEOAC meeting the following items were recommended to WMRC Council for resolution and are presented in this agenda:

- Item 10.8: Pre-booked verge waste collection
- Item 10.9: Use of West Metro Recycling Centre by non-member council residents
- Item 16.2: Waste Delivery Agreement Update

There were no other recommendations from the January 2019 CEOAC to the WMRC Council. Accordingly, the items in the draft minutes are for reception.

STATUTORY ENVIRONMENT

Nil

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

RESPONSIBLE OFFICER RECOMMENDATIONS

10.5.1 The minutes of the 20 November 2018 CEOAC meeting be confirmed as a true and correct record of the meeting.
10.5.2 The draft minutes of the 15 January 2019 CEOAC meeting be received.

Moved: Cr Maurice Seconded: Cr Rodda

Council amended the Responsible Officer Recommendation to reflect that Council is receiving the minutes rather than confirming them.

Moved: Cr Maurice Seconded: Cr Rodda

RESOLUTION

10.5.1 The confirmed minutes of the 20 November 2018 CEOAC meeting be received.
10.5.2 The unconfirmed minutes of the 15 January 2019 CEOAC meeting be received.

CARRIED 4/0

10.6 COUNCIL DELEGATIONS REVIEW

Responsible Officer:	**Chief Executive Officer**
Date:	**28 December 2018**
Attachments:	**10.6A WMRC Delegations Register - Current**
	10.6B WMRC Delegations Register reviewed
	10.6C WMRC Purchasing Authority Limits - Current
	10.6D WMRC Draft Expenditure Authority Limits

SUMMARY

This report serves to present the reviewed Delegations Register to Council for consideration and adoption.

BACKGROUND

As is required by legislation, a review of the Delegations Register has been completed. A revised Delegations Register has been included as Attachment 10.6B to this report. In addition, the previous register is provided at Attachment 10.6A, details of changes made will be provided verbally at the meeting.

DETAIL

In accordance with Section 5.46 of the Local Government Act 1995, a review of the Delegations Register has been completed. The review included cross-checking of Delegations Registers of a number of metropolitan local governments; and identified that new delegations should be adopted in relation to:

- Execution of Documents; and
- Disposing of Property

The proposed delegation to the Execution of Documents and Disposing of Property are commonly made by Local Governments. That relating to the Execution of Documents is supported by a new WMRC Policy 32 – Execution of Documents which is included for Council's review and adoption at Agenda item 10.7D.

Delegation 3 (Authorisation of Expenditure from Municipal and Trust Funds) of the Delegations Register refers to the positions detailed in the Expenditure Authority Limits form. This was last reviewed in 2016 (see Attachment 10.6C). An updated Draft Expenditure Authority Limits is attached for adoption at 10.6D

STATUTORY ENVIRONMENT

Section 5.42 of the Local Government Act 1995 provides that a local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in section 5.43 (limits on delegations to the CEO).

Section 5.41 of the Local Government Act 1995 outlines the Functions of the CEO, which require no further delegation by a local government.

Section 5.46 (1) of the Local Government Act 1995 requires the CEO to keep a register of delegations made to the CEO under section 5.41 and employees under section 5.44.

Section 5.46 (2) of the Local Government Act 1995 requires that at least once every financial year, delegations made under this Division are to be reviewed by the delegator. The Delegations Register was last reviewed by Council in 2016.

CONSULTATION

Comparisons of the WMRC Declarations Register were made with those of a number of other WA metropolitan local governments.

REPORT IMPLICATIONS

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Nil.

COMMENTS

Delegations are intended to assist with improving the time taken to make decisions within the constraints imposed by legislation.

VOTING REQUIREMENT

Absolute Majority.

RESPONSIBLE OFFICER RECOMMENDATION

10.6.1 That the delegations of authority to the Chief Executive Officer and other employees as detailed in Attachment 10.6B to this report be adopted in accordance with section 5.42 of the Local Government Act 1995.

10.6.2 That the Expenditure Authority Limits as at Attachment 10.6D be adopted

Moved: Cr Maurice Seconded: Cr Hohnen

Council amended the Responsible Officer Recommendation to approve lower expenditure authority limits for managers.

RESOLUTION

10.6.1 That the delegations of authority to the Chief Executive Officer and other employees as detailed in Attachment 10.6B to this report be adopted in accordance with section 5.42 of the Local Government Act 1995.

10.6.2 That the Expenditure Authority Limits as at Attachment 10.6D be adopted subject to amending the Manager expenditure limits to $35,000 rather than $50,000.

Moved: Cr Maurice Seconded: Cr Hohnen

CARRIED 4/0

10.7 COUNCIL POLICY REVIEW

Responsible Officer: **Chief Executive Officer**

Date: **29 January 2019**

Attachments: **10.7A Policy 15 - Injury Management**

10.7B Policy 23 – Disability Access and Inclusion

10.7C Policy 25 – Training and Development

10.7D Policy 32 – Execution of Documents and Use of Common Seal

SUMMARY

This report seeks Council approval for reviews and changes to a number of WMRC Council policies and the approval of a new Policy 32 Execution of Documents and Use of Common Seal.

BACKGROUND

Most of WMRC's internal policies are required to be reviewed every two years. Many of the reviews due in 2017 were deferred, and as a result a substantial number of Council policies were overdue for review. Good progress has been made so far in this financial year in reducing the backlog of policies due for review.

Three policies are presented for review and approval in this item. One new policy, Policy 32 – Execution of Documents and Use of Common Seal, is presented for approval. Some remaining policies will be presented for review in April 2019.

In addition to the policy review, the development of an HR manual, as per the December 2017 Council decision, is still underway

DETAIL

A new Council Policy 32 – Execution of Documents and Use of Common Seal has been drawn up to provide guidance on the appropriate method of execution of documents and use of the common seal and to establish procedures for:

a) affixing the common seal of the WMRC; and

b) determining whether a document is executed by way of common seal or signed by an authorised employee.

The new Policy 32 is designed to complement a new Council Delegation covering the execution of documents presented for approval as part of a review of the WMRC Delegations Register presented at Agenda Item 10.6.

Attachments 10.7A, 10.7B and 10.7C present the proposed new versions of Council Policies 15, 23 and 25. The new Policy 32 – Execution of Council Documents and Use of Common Seal is at Attachment 10.7D.

At the December 2018 OCM, Policy 22 – Standing Orders, was presented to Council for re-endorsement. A question was raised at the meeting about whether there was a requirement for the Standing Orders to be adopted as a local law, and the decision on that recommendation was deferred to this meeting. A review of the *Local Government Act 1995* and Regulations, as well as relevant WALGA documentation, suggests that while it is not mandatory that Standing Orders be adopted as a local law, it is both the current practice of the great majority of WA local governments, and the recommendation from WALGA, that Standing Orders be adopted as Local Law. A model Standing Orders Local Law is available from WALGA.

The process of adopting a local law will take several months, but can be streamlined by keeping the proposed local law in alignment with the WALGA model local law. Accordingly, a recommendation is included that the CEO be approved to prepare a draft Standing Orders local law, based on the WALGA model Local Law, for consideration by Council at a future meeting.

A summary of changes made to reviewed policies is as follows:

Policy Reviewed	Summary of Changes Made
Policy 15 – Injury Management	No changes to policy. Attachment has been updated to current version.
Policy 23 – Disability Access and Inclusion	Objectives and policy changed to reflect the content of the new *WMRC Disability Access and Inclusion Plan 2018 – 2023*
Policy 25 – Training and Development	Wording of objectives improved and specific reference made to safety-related training
Policy 32 – Execution of Documents and Use of Common Seal	Procedures established for use of the WMRC Common Seal and authority specified for the signing of documents by authorised employees.

STATUTORY ENVIRONMENT

The changes proposed to the reviewed and proposed policies are in accordance with legislative requirements as referenced in the individual policies.

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Refer to Detail section above

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Maurice

RESOLUTION

Council:

10.7.1 Council approve the CEO to prepare a draft Standing Orders Local Law for consideration by Council.

10.7.2 Council endorse the amendments to Council Policy 15 – Injury Management

10.7.3 Council endorse the amendments to Council Policy 23 – Disability Access and Inclusion.

10.7.4 Council endorse the amendments to Council Policy 25 – Training and Development.

10.7.5 Council approve Council Policy 32 – Execution of Documents and Use of Council Seal.

CARRIED 4/0

10.8 PRE BOOKED VERGE WASTE COLLECTION SYSTEM

Responsible Officer: **WMRC Project Officer**

Date: **7 February 2019**

Attachment: **10.8A - Indicative Project Schedule**

SUMMARY

The CEOAC meeting on Tuesday 15 January endorsed the concept of an opt in Pre Booked Verge Waste Collection Service for WMRC Member Councils. Following on from this endorsement, the WMRC is investigating the development of a Pre Booked Verge Waste Collection Service that would be available to Member Councils on an opt in basis from the time that their existing verge waste collection service contracts expire (or such other time as they choose).

BACKGROUND

The WMRC has explored superficially similar systems in the past:

1. A draft business case for the provision of kerbside and verge waste services across the WMRC was presented at the August 2011 WMRC OCM.
2. The WMRC on 4 August 2011 resolved as follows:
    - **That Council accepts the 'Draft Business Case for Regional Waste Management', presented as an attachment to this report.**
    - **That Council endorses the WMRC Administration to seek Expressions of Interest for:**
        - **Regional kerbside waste collections**
        - **Kerbside recyclables processing**
        - **On demand bulk waste collection services**
    - **That each member Council and the City of Nedlands be requested to vote on participation in a regional waste service before August 2012.**
3. An EOI was issued for the provision of verge waste services on an on-call basis, with 6 responses received and assessed;
4. A report was presented to the WMRC OCM on 4 April 2012, recommending WMRC not accept any EOI respondents as an acceptable tender. Council subsequently resolved the following:
    - **Council does not accept any submissions received for Expression of Interest 01-2012 (Regional Bulk Waste Service) as an acceptable tenderer.**
    - **Council confirm that skip bins are not a suitable bulk waste collection option for the region.**

There have been other initiatives in relation to the provision of regional services, including a waste and recycling tender process conducted in 1998.

DETAIL

At the suggestion of a number of officers of Member Councils in late 2018, WMRC commenced the research and development of a Pre Booked Verge Waste Collection Service, not utilising skip bins,

which could be available to all Member Councils. The Pre Booked Verge Waste Collection Service is the standard that is recommended by WALGA, and has recently been adopted by the City of Swan.

The model that has been in place in recent years across most of Perth has been the scheduled verge waste collection system, where all ratepayers from respective Local Government Authorities, are provided with the opportunity to place their bulk waste on the verge for collection at a time scheduled by Council. An alternative Pre Booked Verge Waste Collection Service, based on the use of skip bins, has been adopted by approximately five Local Governments across Perth. The model being promoted by the WMRC is consistent with that utilised across the majority of Local Government Authorities throughout Australia. Experience demonstrates the on-call nature of the service acts to reduce the volume of waste to be collected and increase the level of diversion of waste from landfill.

While various other metropolitan LGAs have adopted pre booked verge waste collection systems, utilising skip bins, this system is problematic for several of our Member Councils and this project proposes instead the use of Rear Loading collection vehicles, as is the case with existing services. The proposed system is consistent with the WALGA *Better Practice Vergeside Collection Guidelines*, published in 2015.

The major change to residents will not be in the type of service provided, but in the timing (and pre booked nature) of the service.

The major change for Councils will be in the external management (by WMRC) of the service, and in the anticipated improvements to diversion and cost savings.

The concept plan for the project includes:

- WMRC develops a project plan and project proposal for a pre booked verge waste collection contract. See Attachment 10.8A for an Indicative Project Schedule.
- The project rolls-out under the direction of a Project Control Group (PCG) including officer representatives of Member Councils.
- WMRC develops tender documentation, calls for tenders and assesses tender responses, in conjunction with Member Councils.
- WMRC awards a contract, which would be available for Member Councils on an opt-in basis, with services available three months after opt-in. Alternatively, Member Councils are free to retain their current services.
- WMRC manages communications and education as part of the project roll out.
- The service is booked by residents, nominating a designated day and material type/s for collection.
- Residents place their waste out for collection on the designated day.
- Waste materials are segregated to maximise the diversion of waste from landfill.
- WMRC manages the contract on behalf of participating Member Councils, including monitoring contractor performance; monitoring customer satisfaction; and providing performance reports.

Reasons for considering a regional service in the current day

There is a range of differences between this project and previous verge waste collection projects that the WMRC has led, including the following:

- Increases in both landfill disposal charges and landfill levies have resulted in processing and diversion activities becoming more cost effective;
- There is now a significantly greater level of capacity in the waste processing and recovery arena, as it relates to bulk waste collected from verge waste services, with a number of commercially operated facilities being licensed within recent years,
- The waste collection sector is now more competitive, with Solo Resource Recovery and JJ Richards having entered the market since 2012, along with Remondis increasing their level of activity. This increase in competition, for a given municipal market size, has driven down prices in the municipal waste market;
- Verge waste collection services were previously non-core business for the larger waste management companies. However, this has changed, given the increased level of competition in the WA municipal waste market;
- Various industry working groups and WALGA have drawn attention to verge waste collections as a system that can be improved;
- To some extent, the state government's increased focus on diversion of waste, e.g. with the release of the WA Waste Strategy in March 2012, which established diversion targets for the local government sector, has driven change in relation to municipal verge waste services. A revised Waste Strategy is due to be released in early 2019;
- While responses to the EOI in 2012 provided for the recycling of the greenwaste, they did not offer much in the way of diversion of bulk general waste. Current suppliers are reportedly achieving around 100% of greenwaste and up to 80% diversion of bulk general waste.
- The WMRC is better equipped to provide efficient and effective awareness and education services.

Communications and public interface issues

Experience at the City of Swan has indicated that a convenient user interface is critical to the success of the project. The WMRC website will be the primary route to this interface which we expect to be provided by the successful contractor (but may be provided by the WMRC). Residents will also be able to book over the phone or through their member council offices.

There will be a multi-channel promotion in the months prior to the service introduction including in newsletters, websites, posters/flyers, local print media and on social media. According to best practice, this promotion will initially focus on the benefits of the service (e.g. amenity, convenience, diversion, cost savings, security, and public safety). This will be augmented by specific details on practical aspects of the service as the introduction date nears.

Community education on the use of the service will continue once it is introduced; this will be ongoing and in response to any specific common issues as they arise. Given the expected high level of community interest, we expect to be able to communicate progress to the community on a regular basis as the contract proceeds.

CONSULTATION

WMRC officers have consulted with a range of stakeholders, including the following:

- Technical Officers in each of the Member Councils;
- Incumbent Verge Waste Collection service providers, contracted to each of the Member Councils, as well as other waste management organisations, including Cleanaway and

Suez, that could be considered as likely to respond to an RFT for the provision of a *Pre Booked Verge Waste Collection Service;*
- The WA Local Government Association;
- The City of Swan, who implemented a similar system on 1 July 2018; and
- Participants in the CEOAC, held on 15 January 2019.

REPORT IMPLICATIONS

Policy Implications

Such a system will have implications under Policy 24 – Occupational Safety and Health and Policy 26 – Contractor Management.

Financial Implications

Resources that are being applied to this project are primarily staffing, with very minor costs for the advertisement of requests for tender.

A draft financial model for the system has been developed, based upon indicative, non-binding cost data provided by private contractors who have indicated an interest in responding to an RFT, in the event that the WMRC go to market. At this stage, WMRC personnel anticipate that outputs from the financial model will be provided verbally at the February meeting.

Strategic Implications

The development of a Pre Booked Verge Waste Collection Service is consistent with the interim Strategic Plan, which was outlined at the September CEOAC and November WMRC Council meetings in late 2018.

COMMENTS

Governance of the project will rest with the Project Control Group, which the CEOAC recommended be formed. The PCG would comprise Member Councils Technical Officers and the WMRC Manager Operations and Project Officer.

VOTING REQUIREMENT

Simple majority

RESPONSIBLE OFFICER'S RECOMMENDATIONS

10.8.1 Council endorse the plan for a Pre Booked Verge Waste Collection Service.

10.8.2 A Project Control Group be formed to guide the investigation and development of the project.

10.8.3 Council be kept informed as the project proceeds.

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

10.8.1 Council endorse the development of plan for a Pre Booked Verge Waste Collection Service.

10.8.2 A Project Control Group be formed to guide the investigation and development of the project.

10.8.3 Council be kept informed as the project proceeds.

CARRIED 4/0

Cr Rodda left the room at 8:08pm and returned at 8:10pm

Cr Maurice left the room at 8:10pm and returned at 8:11pm

10.9 RESIDENT RECYCLING CENTRE PASS

Responsible Officer: **Manager Communications and Education**

Date: **31 January 2019**

Attachment: **10.9A Flyer: Residential services at the West Metro Recycling Centre**

SUMMARY

A proposal for future investigations into the introduction of a resident recycling centre pass (the Pass) both to limit use of the recycling centre by residents of non-contributing councils and to facilitate its use by member council residents.

BACKGROUND

Currently waste and recycling services provided to customers at the West Metro Recycling Centre (see Attachment 10.9A) are being used to a substantial extent by residents of a number of non-member Councils, primarily City of Nedlands and Town of Cambridge residents. The City of Nedlands has resolved not to support our request for a contribution to the costs of providing these services; a request for financial contribution is with the Town of Cambridge.

A Pass is a suggested approach to increase the alignment between those who pay for the services at the Recycling Centre and those who use them. It would be provided free to all persons who are residents of member councils or other councils who contribute to the cost of providing the services. Presentation of the Pass would be required before customers can access most free services.

CEOAC has endorsed this concept and recommended that the City of Nedlands and Town of Cambridge be informed of the cost implications to their residents of this change prior to finalisation.

DETAIL

Based on visitor survey data collected over the last 8 months, around 20% of resident visits to the West Metro Recycling Centre are by residents of each of Nedlands and Cambridge. At its Ordinary Council Meeting of 18 December the City of Nedlands resolved to "*not support the Western Metropolitan Regional Council's request for a contribution to Resource Recovery and Waste Education service"*. The WMRC CEO has also written to the Town of Cambridge with a request for a contribution to the costs of services provided to its residents at the West Metro Recycling Centre.

The Pass would be required to be shown on entry at the Recycling Centre. It would be provided free of charge to all member council households and potentially to any contributing council households. It would entitle the holder to dispose of specified waste streams including cardboard, scrap metal, fabric, waste oil, household paper, household plastics, and so on. Several waste streams (mattresses, asbestos, tyres) currently attract a fee for disposal; a fee would be retained, but could be discounted for pass holders.

There are some material streams collected at the Recycling Centre for which external bodies provide significant resources subject to the provision of free drop-off facilities for residents. These are the NTCRS, a federally funded scheme for processing computer accessories, TV and

computer screens and the like; and Household Hazardous Waste funded from the WARR account administered by DWER and WALGA. Costs incurred in collecting and safely storing these materials are covered by the WMRC. These streams would not be included in the Pass.

Modelling on a cost recovery basis suggests that providing the Pass at around $6 per household to Nedlands and Cambridge would be appropriate should they choose to participate. Alternatively, a charge of around $2,000 per 100 Passes could be offered to these councils. Access to the Recycling Centre services for customers who do not fall into any of these categories could be through purchase of an individual limited visit Pass at the gates.

The Pass could also be extended in future to simplify the current Tip Pass system for bulk and green waste. Currently each member council has different fees or arrangements for residents to obtain bulk and/or green waste Tip Passes. Many resident callers to the Recycling Hotline are unaware of Tip Passes, whether they are subsidized or how to obtain them. Tip Pass usage levels are generally low, but show high variation between councils.

STATUTORY ENVIRONMENT

Waste Avoidance and Resource Recovery Act 2007
Product Stewardship Act 2011 (NTCRS)

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

WMRC Policy 6: Tip Passes. This policy would need to be changed were the scheme to be extended to include bulk and/or green waste passes

Financial Implications

Full financial modelling of the effect of these changes would be undertaken as part of further investigations.

Strategic Implications

This change will contribute to the following key strategies in the Strategic Community Plan 2013-2023.

1. Achieve a comprehensive cost effective waste management service across the region.
2. Increase the number of Councils, businesses and people using our services
3. Reduce waste to landfill.

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

10.9.1 The City of Nedlands and Town of Cambridge be advised of the potential cost implications for non-member council residents of the introduction of a West Metro Recycling Centre Pass, and given an opportunity to respond before such a Pass is finalised.

10.9.2 Provision for further investigations into the fee structure, promotion and distribution plan, and relevant procedures for the West Metro Recycling Centre Pass be made as part of the 2019/20 budget process.

10.9.3 Consideration be given to introducing an increased fee in the 2019/20 budget fees and charges for provision of Tip Passes to residents of councils other than member councils.

CARRIED 4/0

10.10 EVALUATION OF COMMUNITY WASTE EDUCATION

Responsible Officer: **Manager Communications and Education**

Date: **25 January 2019**

Attachment: **10.10A Summary findings**

SUMMARY

Summary of results from an extensive, DWER-funded survey of residents' waste management and minimization behaviours, the effectiveness of current education initiatives and suggestions for changes. The research has produced rich new data upon which to base future community waste education activities building on a much-loved course.

BACKGROUND

The WMRC were successful in obtaining $75,005 funding from DWER through the CIE grants program to evaluate and amplify community waste education. Painted Dog Research were awarded a contract to carry out the evaluation stage of the project. Every household in the area (22,700) was invited through a letterbox drop to take part in the online survey and respondents were given the opportunity to partake in an online forum. Those on the WMRC Earth Carers database (1,265) were also invited to participate. This is the first time such a survey has been undertaken.

DETAIL

The survey and online forum took place during November and December 2018. A very high participation rate in the online survey (1431 people) means that there is a high degree of confidence in the results. Main findings are summarized below and in Attachment 10.10A:

Household waste management is a prominent issue in the community – respondents indicated a very high level of interest in waste management and minimisation.

Although most in the community want to manage their waste responsibly, they also feel that minimising waste is not easy

The Earth Carers Course has had a significant impact both on the behaviours of the participants and on the large number of associates to whom they have recommended it.

Varying the format will widen the appeal of the Earth Carers course making it more accessible to a wider demographic. The prime indicators are that shortening the time commitment by making the sections modular and providing an online component are most likely to have an impact.

The suggested way forward includes adding an online learning component, presenting stand-alone modules on the basics and on specific areas and continuing to stay in regular contact with those who have completed the training.

STATUTORY ENVIRONMENT

WMRC Establishment Agreement 1998 6.1 (c)

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Communications and Education activities are provided for in the existing budget however this project is funded by the State Government (WARR Account through DWER CIE Grant funding)

Strategic Implications

Activities are aligned to the following Key Strategy in the Strategic Community Plan 2013-23:

4 “Increase the knowledge and engage the local community to improve waste management”.

Activities contribute to:

1 “Achieve a comprehensive, cost effective waste management service across the region”,

2 “Increase the number of Councils, businesses and people using our services”

3 “Reduce waste to landfill”.

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Maurice

RESOLUTION

10.10.1 The Manager Communications and Education use this information in adapting the Earth Carers program and as a basis for a plan of community waste education activities for 2019/20.

CARRIED 4/0

10.11 MID YEAR FINANCIAL REVIEW

Responsible Officer: **Chief Executive Officer**

Date: **31 January 2019**

Attachment: **10.11A Budget 2018-2019 Review**

SUMMARY

This item presents the findings of the Mid-Year Budget Review.

BACKGROUND

The revised 2018-19 budget reflects the requirements of the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and *Australian Accounting Standards*.

DETAIL

A line-by-line review of the 2018-19 budget has been completed. With the exception of the budget for expenses associated with the legal dispute with DiCOM, the review demonstrates that the WMRC has been operating closely to its approved 2018-19 budget as shown in the following table.

Table 1:

WMRC Summary	6 month YTD Budget	6 month YTD Actual	Original Budget	Revised Budget	Variance
Total Revenue	$2,637,497	$2,516,690	$5,274,993	$5,245,559	-$29,434
Expenses					
Administration	$739,280	$1,085,070	$1,478,560	$1,984,806	-$505,246
Operations	$2,054,270	$1,872,932	$4,108,539	$4,054,613	$53,925
Communications & Ed	$124,319	$165,987	$248,638	$276,268	-$27,630
Communications Projects				$649	$10,351
Governance	$21,280	$20,685	$42,560	$42,000	$560
Total	$2,939,149	$3,144,675	$5,878,297	$6,358,337	-$469,040
Net Position	**-$301,652**	**-$627,985**	**-$603,304**	**-$1,112,778**	**-$509,474**

Revenue

A $30k revenue shortfall is compared to budget is expected. Such a 30 June 2019 outturn would represent a variation to budget of less than one percent.

Expense

Expenses are expected to exceed budget by $469k. Most of the cost overrun is associated with an underestimate of legal expenses at the time of setting the original budget.

Note that no provision has been made in the budget review for receipts in respect of the order made for costs by the Supreme Court in August 2019, as the timing and quantum of receipt is not yet known.

Fees and Charges

Fees and charges are unchanged.

Capital Expenditure

Capital expenditure is increased from $37k to $94k.

Reserves

The projected budget shortfall of $1,112,778 will be met by drawing on WMRC Reserves, in accord with the Council resolution of 5 October 2017.

It is projected that the Reserve account balance following payment of all expected expenses for the 2018-19 year will be $1,536,884

STATUTORY ENVIRONMENT

WMRC is required by regulation 33A of the *Local Government (Financial Management) Regulations 1996* to conduct at least one budget review during the period 1 January to 31 March of each financial year.

The review must consider financial performance up to a period no earlier than 31 December. Council is then to consider a review submitted to it and determine whether or not to adopt the review, any part of the review or any recommendations made in the review. The adoption requires an absolute majority decision of Council and a copy of this review is to be forwarded to the Department of Local Government and Communities within 30 days.

The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The revised 2017/18 budget as presented is considered to meet statutory requirements.

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Councillor Fees, Allowances and Reimbursements are consistent with the requirements of Band 4 of the Salaries and Allowances Tribunal 'Determination of Fees, Allowances and Expenses for Local Government Elected Council Members.

Financial Implications

The Revised 2018-19 Budget provides for the following income and expenditure:

Operating Revenue	$5.25m
Operating Expenditure	$6.36m

Capital Expenditure $94.0k

Strategic Implications

The revised 2018-19 budget provides that adequate financial resources are available for the operation of WMRC for the balance of the 2018-19 financial year.

COMMENTS

The revised 2018-19 budget more accurately reflects the scope and extent of the WMRC's current operational activity, particularly in respect of improving customer service; and a higher level of engagement with the community in respect of waste avoidance, effective recycling and access to the services of the West Metro Recycling Centre.

The effectiveness of the budget management in the first half of the 2018-19 financial year is demonstrated by the WMRC's ability to implement reforms and improvements that were unforeseen at the time the 2018-19 budget was originally set. These include:

- Reform of the WMRC funding model to one based on a fixed overhead and variable components (the model has considerably reduced the risk of revenue variability which previously depended entirely on waste throughput).
- Rebranding of the WMRC with new logo and tagline.
- Redesign and reprint of all stationery, e-templates and signage.
- Design and install of vinyl wrap for the WMRC's new commercial vehicle.
- A single new look, mobile friendly website to replace the two old websites (the budget originally only provided funds to redesign the Earth Carers website).
- Development and approval of a new Disability Inclusion and Access Plan.
- Print media advertising and promotion of the West Metro Recycling Centre.
- Development of a full suite of consistent communications promotional material.
- Replacement of IT equipment, projector and printer.
- Repair, preventative maintenance, and breakdown-proofing the IT network and communications system.

VOTING REQUIREMENT

Absolute majority.

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

10.11.1 Council adopt the Revised 2018/19 Budget.

10.11.2 In accordance with Regulation 33A(4) of the Local Government (Financial Management) Regulations 1996, a copy of the WMRC's 2018/19 Revised Budget be submitted to the Department of Local Government, Sport and Cultural Industries within 30 days of its adoption by Council.

CARRIED 4/0

11 INFORMATION BULLETINS

11.1 COMMUNICATIONS AND EDUCATION REPORT

Responsible Officer: **Manager Communications and Education**

Date: **25 January 2019**

Attachment: **Nil**

SUMMARY

An information bulletin detailing Communications and Education team activity for the period.

BACKGROUND

The Communications and Education team's role includes corporate communications and marketing, community waste education, member council staff support and waste strategy/policy advisory/advocacy services.

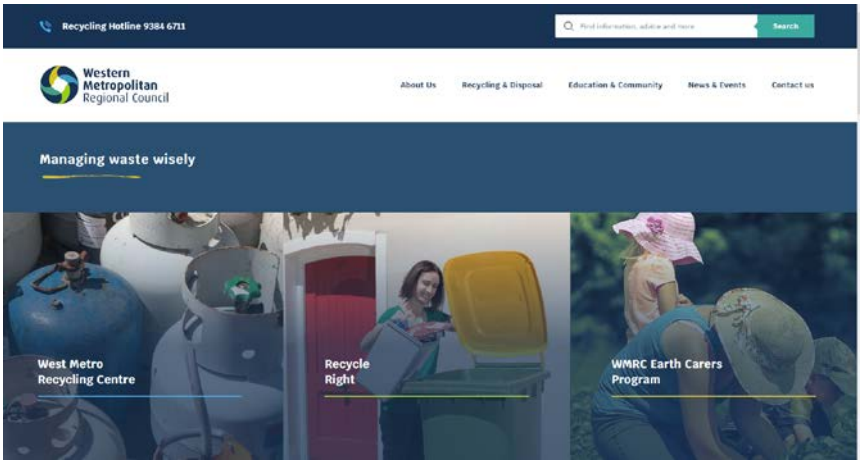
Contents include:

1. **Launch of new WMRC website**
2. **Battery program – annual results and program upgrade**
3. **Support for Member Council events**
4. **Recycling Hotline**
5. **Media Content**

DETAIL

Launch of new WMRC website

This new website replaces both the old www.wmrc.wa.gov.au and www.earthcarers.org.au and has a fresh and modern uncluttered look. It is mobile-compatible and is designed to meet accessibility requirements. The team is in the process of ensuring that all member council links to the site's sub-pages are operational and is continuing to upload information sheets as they become available.

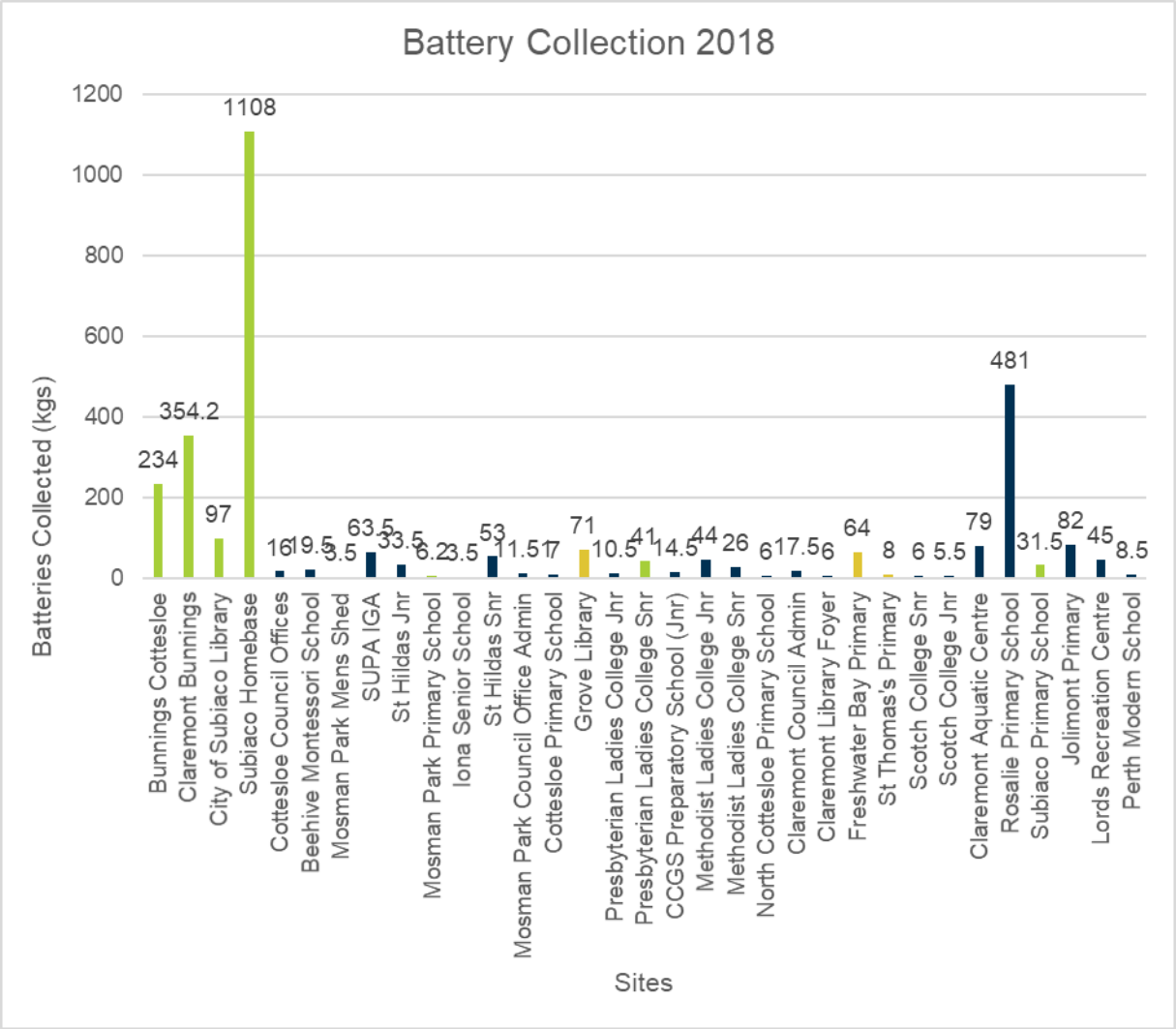


Landing page of new website

Battery program – annual results and program upgrade

Once again, the battery collection program showed that the majority of household batteries are collected through the recycling centres located outside shops rather than in community or administrative buildings. Schools varied hugely in their collection rates with primary schools generally performing better than secondary schools and Rosalie Primary school once again collecting many more batteries than other schools; over five times the quantity of the next best school. The total battery collection across all collection points is down by some 15% since the 2017 calendar year.

Investigations into an upgrade of this program are ongoing. An upgrade is required on grounds of risk, brand and new battery technologies. This will require some funds to be spent on our current collection infrastructure.



Battery collection totals by calendar year. Recycle stations – green, schools – blue, others - yellow

Support for Member Council Events

Our loan items (water stations, wash up stations, bin toppers) were loaned to Member Council and community events in Claremont, Cottesloe and Subiaco over the period.

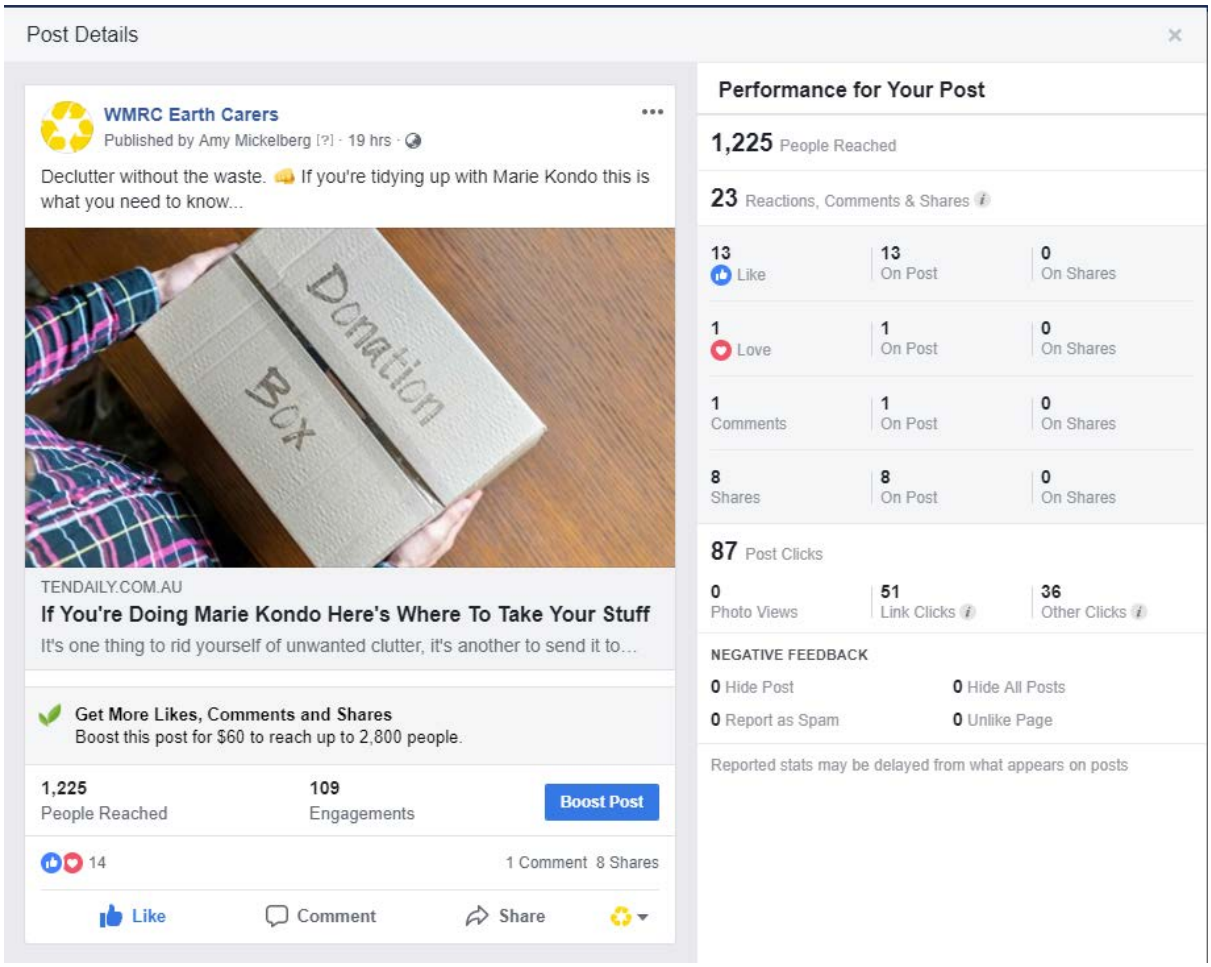
Recycling Hotline

Calls to the Hotline continue with a wide range of queries. At least 60% are from our member council residents. Many callers are asking about what items they can take to the West Metro Recycling Centre, whether there are fees applicable and how to deal with specific other problematic items.

Media Content

Social Media

The WMRC Earth Carers Facebook page had a reach of 2,414 in January to date and the number of page likes continues to grow. The highest rating post is featured below:



Print media

The following relevant articles appeared in the Post Newspaper

Neds tight on waste services

Nedlands councillors have refused to help pay for waste services at Shenton Park's West Metro Recycling Centre, used by the council's residents.

At a committee meeting last week, every councillor present except Ben Hodsdon voted to reject the Western Metropolitan Regional Council's (WMRC) request for $87,000 a year.

Nedlands is not a member of the five-council WMRC, which operates the recycling centre in Brockway Road.

In a letter to the council, WMRC chief executive Stefan Frodsham asked for $87,000 to help pay for waste disposal and education programs run by his organisation.

"Nedlands residents make up 20% of customers using the community recycling and household hazardous waste services at the [recycling centre]," Mr Frodsham said after the meeting.

"With the cost of recycling, waste treatment and disposal services increasing, it's never been more important for councils to co-operate in improving the way we manage and minimise household waste."

He said Cambridge council, also not a member of the WMRC, accounted for a further 20% of the recycling centre's patronage.

"We've had discussions at officer level with Cambridge, but decided on waiting on feedback from our proposal to Nedlands before writing," he said.

Despite the emphatic knockback, Mr Frodsham said he remained hopeful that councillors would change their minds before they make a final decision at their full council meeting on December 18.

WMRC staff had raised the prospect of restricting Nedlands residents' access to the recycling centre in a report earlier this year, but Mr Frodsham ruled that out in September.

In their report to the council, staff said the WMRC received a state government subsidy for hazardous waste that required it to accept it from Nedlands residents.

18 December

Page 20 – POST, December 22, 2018

Don't waste your waste

By DAVID COHEN

Amy Warne can solve your Christmas waste problems.

"If you receive a new electronic device under the Christmas tree, don't forget you can drop off your old e-waste at the West Metro Recycling Centre," she said.

Amy is the community and education officer at the Western Metropolitan Regional Council and said the centre would be in business during the festive season.

"The West Metro Recycling Centre will be open every day excluding Christmas Day and New Year's Day and provides a free drop-off recycling service for domestic customers for items which don't fit in their kerbside recycling bins," Amy said.

"The centre will accept domestic recyclables for free so that your kerbside recycle bin doesn't overflow this festive season."

The West Metro Recycling Centre is on the corner of Brockway Road and Lemnos Street, Shenton Park, and can be called via its recycling hotline: 9384 6711.

It processed more than 31,000 tonnes of waste and recyclables last financial year.

The WMRC runs the centre and is supported by Subiaco, Claremont, Mosman Park, Cottesloe, and Peppermint Grove councils.

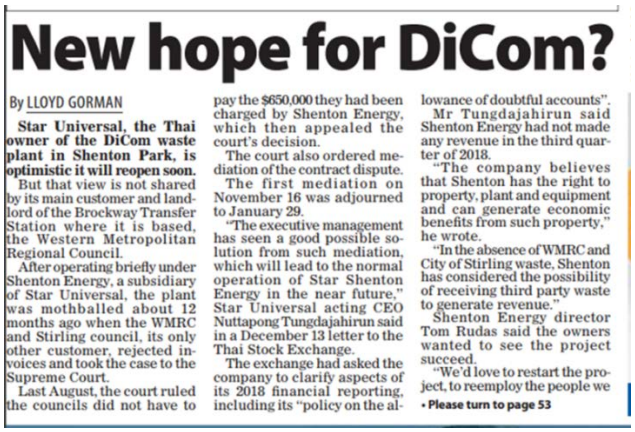
Amy also had waste-reduction tips for those who have left their Christmas shopping until the last minute.

"Celebrate without food waste by buying only what you need and having some creative left-over recipes handy for any excess food that might not get eaten on the day," she said.

"Use fabric or reusable gift bags to wrap presents and give home-made gifts or buy second hand."

She's got drive ... *Amy Warne has waste-reduction tips for those who have left their Christmas shopping until the last minute.*

22 December



New hope for DiCom?

By LLOYD GORMAN

Star Universal, the Thai owner of the DiCom waste plant in Shenton Park, is optimistic it will reopen soon.

But that view is not shared by its main customer and landlord of the Brockway Transfer Station where it is based, the Western Metropolitan Regional Council.

After operating briefly under Shenton Energy, a subsidiary of Star Universal, the plant was mothballed about 12 months ago when the WMRC and Stirling council, its only other customer, rejected invoices and took the case to the Supreme Court.

Last August, the court ruled the councils did not have to pay the $650,000 they had been charged by Shenton Energy, which then appealed the court's decision.

The court also ordered mediation of the contract dispute.

The first mediation on November 16 was adjourned to January 29.

"The executive management has seen a good possible solution from such mediation, which will lead to the normal operation of Star Shenton Energy in the near future," Star Universal acting CEO Nuttapong Tungdajahirun said in a December 13 letter to the Thai Stock Exchange.

The exchange had asked the company to clarify aspects of its 2018 financial reporting, including its "policy on the allowance of doubtful accounts".

Mr Tungdajahirun said Shenton Energy had not made any revenue in the third quarter of 2018.

"The company believes that Shenton has the right to property, plant and equipment and can generate economic benefits from such property," he wrote.

"In the absence of WMRC and City of Stirling waste, Shenton has considered the possibility of receiving third party waste to generate revenue."

Shenton Energy director Tom Rudas said the owners wanted to see the project succeed.

"We'd love to restart the project, to reemploy the people we

• Please turn to page 53

New hope for DiCom?

• From page 3

had to let go, and to work in a constructive way with the councils," Mr Rudas said.

WMRC CEO Stefan Frodsham said the matters raised in the mediation could not be disclosed.

"However, I can say that the WMRC does not agree with the comments made by Star Universal Networks in their response to the stock exchange and has raised those issues with DiCom's legal advisers," Mr Frodsham said.

"As matters stand, the WMRC does not consider that there is any meaningful prospect of the 2007 waste supply agreement between the WMRC and DiCom being brought back to life."

He said the Supreme Court's August decision meant the waste supply agreement between the WMRC and DiCom legally could not continue.

"The WMRC has no liability to DiCom for invoices rendered by DiCom purportedly pursuant to the waste supply agreement," Mr Frodsham said.

"DiCom is liable to pay the WMRC's legal costs of the trial, which are yet to be assessed by the court.

"That will remain the position, unless DiCom's appeal is successful."

He said the appeal was likely to be heard in the first half of this year, but the WMRC's advice was that it would be dismissed.

"The WMRC is exploring options for processing waste following final resolution of the position with DiCom," he said.

Star Universal paid $8million for a 60% interest in DiCom in August 2017, partnering with another Thai operator SBANG Sustainable Energies.

Three months after they took over and four years after it was originally expected to begin, DiCom started accepting local rubbish trucks *(DiCom operating at last,* POST, November 25, 2017).

But the trucks stopped in early 2018 and the plant shut soon after.

DiCom was designed to convert household waste into recyclables, compost and renewable energy and reduce landfill.

Previous owners and operators – some of whom went into administration – spent about $165million developing and building the plant.

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12 January

POST, January 19, 2019 – Page 9

Rubbish unites suburbs

Rubbish collection has brought Claremont, Mosman Park and Peppermint Grove councils closer together.

They have united in a waste tender to Suez.

Suez already services the three councils under contracts that have different start dates.

The contracts will now finish at the same time in 2025, with options to extend.

The new contracts include alternative waste disposal options for general waste, possible third bins, the disposal of garden and/or organic waste, and allowances for a future container deposit scheme.

Mosman Park mayor Brett Pollock said it was the first step to a more consistent approach to waste management, including bulk waste, which was something all three councils could do better.

"It highlights the willingness of the councils' respective administrations to work together and share their expertise to secure the best value and service for our communities," Mr Pollock said.

The united approach means Suez has passed on a reduced bin-lift rate and expanded kerbside service options that the councils can commission independently or jointly.

The three councils are considering a similar joint approach to bulk waste services because existing arrangements expire or are due to expire

19 January

Talking up waste war

Serve Food – Not Litter is the motto of a hospitality forum being held in Cottesloe next month.

The Western Metropolitan Regional Council's (WMRC) event is aimed at helping everyone from fast-food providers to fine dining exponents minimise waste and litter.

WMRC CEO Stefan Frodsham said local establishments that had already minimised disposable packaging would speak at the forum.

"The forum will present a great opportunity for local businesses to hear from successful retailers and other organisations on how to target litter and create waste-free opportunities," he said.

"Recent research suggests that Cottesloe businesses are making progress in this arena.

"Of the 24 Cottesloe establishments surveyed last month, more than 75% no longer offer plastic straws and nearly half provide discounts for bringing reusable cups.

"Cottesloe's enviable waterfront location means it is very aware of the dangers that litter items such as plastic straws, takeaway beverage containers and disposable packaging have on our marine environment."

A taste for less waste ... Daniel Grosso wants to get more cafes and restaurants using his recyclable cups and cutlery. **Photo: Billie Fairclough**

Guest speakers at the forum include Daniel Grosso, owner of reusable cup and crockery hire service Go2Cup; Darryl Naidu, owner of New Normal Bar + Kitchen in Subiaco and winner of the Commercial and Industry Waste Champion Award at the 2018 WA Waste Authority Infinity Awards; and Benn Rayner from Antz Inya Pants, whose Victoria Park cafe was the first to be disposable cup free in Australia and has saved more than 200,000 disposable cups from landfill since opening in 2016.

The free forum is at 5.30pm on Monday, February 18, in the Cottesloe Civic Centre's lesser hall. Registrations are essential.

For more information or to register, contact the WMRC community and education team on 9384 4003 or visit www.wmrc.wa.gov.au.

The WMRC is supported by Subiaco, Claremont, Mosman Park, Cottesloe and Peppermint Grove councils.

25 January

Advertisements

Western Metropolitan Regional Council

Managing waste wisely

2019 Meeting Dates

The WMRC 2019 Ordinary Council Meeting Dates are as follows:

7 February 2019	Town of Cottesloe
4 April 2019	Shire of Peppermint Grove
6 June 2019	City of Subiaco
1 August 2019	Town of Mosman Park
3 October 2019	Town of Claremont
5 December 2019	Town of Cottesloe

All meetings are open to the public and begin at 5.30pm.

2017/18 Annual Report

The WMRC 2017/18 Annual Report is available at our website www.wmrc.wa.gov.au or call 9384 4003 and a copy will be posted to you.

Notice of change to Fees and Charges

Some of the WMRC's Fees and Charges have been reduced. From 1 January 2019 the following will apply:

Member Council Gate Fees	$/tonne
General Waste	155
Bulk Waste	170
Green Waste	50

For further information please check our website www.wmrc.wa.gov.au

Stefan Frodsham
Chief Executive Officer

The WMRC is proudly supported by Town of Claremont, Town of Cottesloe, Town of Mosman Park, Shire of Peppermint Grove and City of Subiaco.

STATUTORY ENVIRONMENT

WMRC Establishment Agreement 1998 6.1 (c)

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Communications and Education activities are provided for in the existing budget

Strategic Implications

Activities are aligned to the following Key Strategy in the Strategic Community Plan 2013-23:

4 “Increase the knowledge and engage the local community to improve waste management”.

Activities contribute to:

1 “Achieve a comprehensive, cost effective waste management service across the region”,

2 “Increase the number of Councils, businesses and people using our services”

3 “Reduce waste to landfill”.

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Maurice Seconded: Cr Hohnen

RESOLUTION

11.1.1 The Communications and Education report to 25 January 2019 be noted.

CARRIED 4/0

11.2 WASTE OPERATIONS PROGRESS REPORT FOR NOVEMBER/DECEMBER 2018

Responsible Officer: **Manager Operations**

Date: **19 January 2019**

Attachment: **11.2A – Waste Operations Charts**

SUMMARY

This report provides updates on the status of waste operations. Council is required to receive the report.

BACKGROUND

Nil

DETAIL

Waste Statistics

Total waste receivals (excluding AWT waste) for the year to date are down some 15% from this point in 2017-18. Member Council Waste tonnes are down compared to this point in 2017-18.

Commercial tonnages in the year to date are down very significantly from 2017-18. Green Waste tonnes are in line with this point in 17-18. Attachment 11.2A provides waste receivals data to 31 December 2018.

STATUTORY ENVIRONMENT

Nil

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

The continued downwards trend of commercial waste receivals affects the WMRC's financial position.

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

11.2.1 Council receive the Waste Operations Progress Report

CARRIED 4/0

11.3 WA CONTAINER DEPOSIT SCHEME UPDATE

Responsible Officer: **Manager Communications and Education**

Date: **29 January 2019**

Attachment: **11.3A WALGA presentation to CEOAC**

SUMMARY

An update on implications of progress in the preparation of the WA Container Deposit Scheme

BACKGROUND

The WA Container Deposit Scheme is expected to commence in March 2020. WMRC has been active in contribution to WALGA's Policy Forum and most recently provided feedback to DWER on the proposed customer service standards in December 2018 recommending that the Preferred Scheme Coordinator includes Local Government community waste drop-off infrastructure be included in considerations of Refund Point sites (see WMRC OCM December 2018 Item 15.2).

DETAIL

Currently legislation is before parliament to introduce this scheme and a Scheme Coordinator is in the process of being selected by the State Government.

There are several points of interest to members of WMRC Council. The first is that the WAPC and the Department of Planning, Lands and Heritage have circulated a draft position statement to Local Government for feedback on the planning considerations for CDS infrastructure. Feedback deadline is 19 February.

Protocols for revenue sharing between MRFs and Local Governments is under discussion. In essence, this proposes a 50:50 share of net revenue from CDS eligible containers; however, experience in other states is that regular audits form an important part of the assurance required around this process.

Member Councils are reminded that a Waste Local law will become important as the CDS eligible containers in kerbside and public place bins gain a monetary value. The WALGA Model Local Law makes provision for CDS particularly in dealing with liability issues around removal of material from such bins.

WALGA is hosting an information forum for elected members and relevant officers on 13 February for further information on all the above points.

The WMRC proposes to develop a business case for council decision later this year to site a refund point at the West Metro Recycling Centre.

STATUTORY ENVIRONMENT

Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill

CONSULTATION

None

REPORT IMPLICATIONS

Policy Implications

None yet

Financial Implications

None yet

Strategic Implications

This matter will contribute to the following key strategies in the Strategic Community Plan 2013-2023

4. Achieve a comprehensive cost effective waste management service across the region
5. Increase the number of Councils, businesses and people using our services
6. Reduce waste to landfill
7. Increase the knowledge and engage the local community to improve waste management

COMMENTS

Any other matters of relevance

VOTING REQUIREMENT

Simple or absolute majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

11.3.1 The Container Deposit Scheme Update report be noted.

CARRIED 4/0

11.4 PROGRESS ON COUNCIL RESOLUTIONS

Responsible Officer: **Chief Executive Officer**

Date: **18 January 2019**

Attachment: **11.4 Progress on Council Resolutions**

SUMMARY

A schedule showing progress on WMRC resolutions up to and including 18 January 2019 is presented in Attachment 11.4A. The schedule is extracted from the master schedule which has a record of all WMRC resolutions from 2007. Only uncompleted resolutions, or those only recently completed, are shown on the schedule as presented.

BACKGROUND

In October 2007 Council decided that an information bulletin item tracking the progress of Council resolutions be presented at future meetings.

DETAIL

Refer to Attachment 11.4A.

STATUTORY ENVIRONMENT

Local Government Act 1995

CONSULTATION

Nil

REPORT IMPLICATIONS

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

COMMENTS

Nil

VOTING REQUIREMENT

Simple majority

Moved: Cr Rodda Seconded: Cr Hohnen

RESOLUTION

11.4.1 The information be received.

CARRIED 4/0

MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

13 MEMBERS' QUESTIONS WITHOUT NOTICE

Nil

14 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

15 MATTERS BEHIND CLOSED DOORS

Responsible Officer: **Chief Executive Officer**

Date: **31 January 2019**

Attachment: **Confidential Items**

It is proposed that the following items 16.1, 16,2, 16.3 be considered in a closed session

RESPONSIBLE OFFICER RECOMMENDATION:

That in accordance with Sections 5.23(2) (c)(d)(e) of the Local Government Act 1995, the meeting is closed to members of the public with the following aspect of the Act being applicable to these matters (Section 5.23(2) (e) not applicable to 16.2):

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

(e) a matter that if disclosed, would reveal —

(i) a trade secret; or

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government.

Note that Items 16.1 to 16.3 were considered out of sequence. Refer to page 10 of these minutes.

16.1 DICOM CONFIDENTIAL PROGRESS REPORT

16.2 WASTE DELIVERY AGREEMENT

16.3 MID YEAR FINANCIAL REVIEW - SUPPLEMENT

17 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

18 GENERAL BUSINESS

Nil

19 CLOSURE OF MEETING

The Chairman thanked everyone for attending and the meeting closed at 8:37pm.

Next meeting: 4th April at Shire of Peppermint Grove.