

# Agenda

## SPECIAL COUNCIL MEETING (SC 02/25)

12 June 2025  
Commencing at 5.00pm

WMRC  
2/317 Churchill Avenue, Subiaco WA 6008

Dear Chair and Councillors

I advise that a Special Council Meeting of the Western Metropolitan Regional Council will be held at the WMRC Offices on **12 June 2025** commencing at **5.00 pm** for the purposes of addressing matters relating to:

1. The Annual Budget
2. Financial statements for April 2025
3. Award of tender for waste transfer for bunker works
4. Award of tender for waste haulage and processing services
5. Procedure for the review of performance of the CEO
6. Legal proceedings associated with DiCOM



Stuart Devenish  
Chief Executive Officer  
6 June 2025

**Note for members of the public: 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” or prior to the meeting [online through this link](#).
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting.
4. All other arrangements are in accordance with the Council’s Meeting Procedures Local Law, policies and decisions of the organisation.

Stuart Devenish  
Chief Executive Officer

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# 1. DECLARATION OF OPENING

# 2. RECORD OF ATTENDANCE AND APOLOGIES

## Councillors

Cr. P Kelly	Chair	Town of Claremont
Cr. A Maurice	Deputy Chair	Town of Mosman Park
Cr. R De Vries	Deputy	City of Subiaco
Cr. B Wylynko	Member	Town of Cottesloe
Cr. P Macintosh	Member	Shire of Peppermint Grove

## Staff

S Devenish	Chief Executive Officer	WMRC
L Eustance	Manager Communications & Education	WMRC
R Bryant	Manager Operations	WMRC
Y Wang	Manager Corporate Services	WMRC
C Francis	Finance & Customer Service Officer	WMRC

## Leave of Absence

## Visitors

## Observers

## Apology

- 3. DISCLOSURES OF INTERESTS**
- 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 5. PUBLIC QUESTION TIME**
- 6. APPLICATIONS FOR LEAVE OF ABSENCE**
- 7. PETITIONS, APPROVED DEPUTATIONS AND PUBLIC STATEMENTS**
- 8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

## 9. REPORTS OF COMMITTEES AND OFFICERS

### 9.1 ANNUAL BUDGET 2025/2026

<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>
<b>Date:</b>	<b>11 June 2025</b>
<b>Attachments:</b>	<b>9.1A Fees and Charges 2025-2026</b> <b>9.1B Annual Budget 2025-2026</b>







### PURPOSE

To consider adopting the Annual Budget for the 2025-26 financial year including fees and charges, general revenue and expense, capital investment, reserve funds, Councillor sitting fees and other matters.

### BACKGROUND

On 30 January 2025, Council endorsed the program for preparing and adopting the 2025/26 budget as below:

**2025/2026 Budget Process Timeline**

JANUARY	MARCH	MAY		JUNE	JULY
					
<b>30 January Council meeting</b>  Endorse process and timetable	<b>27 March Council meeting</b>  - FY24-25 Mid- year budget Review  - Endorsement of FY25-26 Budget Parameters	<b>8 May Councillor Workshop</b>  Discuss draft revenue forecasts, operational and capital budgets, fees and charges, reserve allocations	<b>29 May Council meeting</b>  Consider draft Operational and Capital budgets, fees and charges	<b>12 June Special Council meeting</b>  Adoption of statutory budget	Submit the Statutory Budget to Department of Local Government, Sport and Cultural Industries

A Budget 2025/26 Parameters Paper was considered and endorsed by Council on 27 March as scheduled. A Councillor Workshop was subsequently held on 14 May to discuss proposed budget provisions ahead of Council considering and endorsing the budget terms at the 22 May 2025 meeting.

### DETAILS

Adoption of budget terms at the last Council meeting has allow the preparation of the full suite of information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996*, WA Local Government Accounting Manual 2012, and Australian Accounting Standards.

The required statements and notes have now been prepared as included at Attachment 9.1A. Fees and charges in-line with the estimated revenue calculations are set out at Attachment 9.1B.

Attention is drawn to the elected member remuneration allowances at note 12 (page 21) of Attachment 9.1B. In line with previously adopted positions, fees have been set at 90% of the maximum annual attendance fees prescribed by the State Administrative Tribunal. This applies to all elected member levels with exception of the Chair allowance. This allowance is proposed to be 50% of the maximum annual allowance for the Chair.

It has been found that the Chair's allowance has previously been calculated on an incorrect table of rates. Application of 90% to the correct table would yield a significant increase which is not intended. By applying 50% to the maximum allowable rate under the correct table, the allowance arrives at a commensurate level of reimbursement.

The Deputy Chair allowance is set at 25% of the Chair's levels. The budget papers also reflect this ratio.

It is important to note that while previous allowances have been calculated on an alternate table of rates, the levels set by Council have been within the statutory ranges and there have been no over or under payments made.

Audit, Risk and Improvement Committee Independent Member rates are proposed at the maximum of \$450 per meeting attendance to ensure suitable candidates are attracted to the role.

## **RISK MANAGEMENT**

The budget process relates to and assists mitigation of risks associated with the following areas of the Corporate Risk Register:

- Strategic; SS8, OS1, OS2, OS5
- Governance; OG6
- Commercial and Legal; SC1, SC2
- Financial; SF2, OF3, OF6
- HR Management; SHR1, SHR2
- Operational; SO1, OO2
- Reputational; SR1, SR6

## **COMMUNICATION AND CONSULTATION**

A Budget Parameters Paper was endorsed by Council on 27 March 2025. Key elements of the budget was discussed with Councillors at a budget workshop on 14 May 2025, with draft provisions subsequently considered on 22 May 2025..

Budget advice will be communicated to Member Councils as soon as possible after adoption to assist respective budget preparations.

## REPORT IMPLICATIONS

### Legislation and Policy Alignment

Section 6.2 of the *Local Government Act 1995* requires that on or after 1 June and no later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, (by Absolute Majority) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Section 6.16 of the *Local Government Act 1995* permits the imposition of fees and charges when adopting the annual budget or during the financial year via an Absolute Majority decision of Council.

The *Local Government (Financial Management) Regulations 1996* detail the form and content of the budget.

Sections 5.98(1)(b), 5.98(5), 5.98A(1), 5.99(b) of the *Local Government Act 1995*, Regulations 30, 33, 33A, 34(A) of *Local Government (Financial Management) Regulations 1996*, Parts 6.2(1), 6.3(1)(a), 7.2(1), 7.3(1), 9.2(2) of the *Determination of Local Government Elected Council Members*, and Section 7B of the *Salaries and Allowances Act 1975* deal with the setting of allowances for Councillors.

Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* requires that a Local Government adopt a percentage or value for reporting material variances.

Regulation 33 of the *Local Government (Financial Management) Regulations 1996* requires a copy of the budget document to be submitted to the *Department of Local Government, Sport and Cultural Industries* within 14 days of its adoption.

### Business and Strategic Alignment

The Proposed Annual Budget 2025-26 is in line with the following Key Strategies:

1. Achieve a comprehensive, cost-effective waste management service across the region.
2. Increase the number of Councils, businesses and people using our services
4. Promote and facilitate waste avoidance and responsible waste management in the community
5. Maintain a safe, strong and capable organisation

### COMMENTS

The proposed budget, fees and charges, and sitting fees and allowances align with the principles and parameters set out in the Budget Parameters paper endorsed by Council on 27 March 2025. Further, the allocations are in-line with the budget terms as endorsed by Council on 22 May 2025, noting the clarification relating to elected member remuneration addressed above.

In summary terms, the structural arrangements for financing the organisation remain unchanged for the proposed budget. That is, Member Councils continue to fund a budget deficiency (Service Delivery Charge) as provided for by the Establishment Agreement and pay for transactional services on a cost recovery basis. The Service Delivery Charge is proposed to increase by CPI only (2.8%) so as to maintain value in the dollar.



Services provided to non-member Councils and other customers are generating net revenue, serving to relieve budget deficiency otherwise to be made up by member Councils. The Verge Valet service which will be provided 5 non-member Council's is contributing to this.

The overall terms of the budget are set to ensure a surplus position by 30 June 2026 while optimising contributions to reserves. Reserve balances will increase after allowing for major expenses.

Operational expenditure is increased to reflect ordinary cost escalations. These increases are passed onto customers through the fee and charge rates.

It is significant to note that the Member Council charge for general waste is reduced in real terms. This is achieved through efficiency gains associated with new technology and self-haulage

The budget for 2025/26, along with required settings as detailed in the recommendation, is presented for adoption accordingly.

## VOTING REQUIREMENT

Absolute majority for recommendations 9.1.1 to 9.1.3. Simple majority for recommendation 9.1.4.

## RESPONSIBLE OFFICER RECOMMENDATIONS AND COUNCIL RESOLUTION

### 9.1.1 Annual Budget for 2025-26

Council resolve, pursuant to Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulation 1996*, to adopt the budget contained in Attachment 9.1B for the Western Metropolitan Regional Council for the 2025-26 financial year which includes following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Cash Flows
- Statement of Financial Activity
- Notes to the budget

### 9.1.2 Fees and Charges for 2025

Council resolve, pursuant to Section 6.16 of the *Local Government Act 1995* to adopt the Fees & Charges contained in Attachment 9.1A for the 2025-26 financial year.

### 9.1.3 Elected Members' Sitting Fees & Allowance for 2025-26

In accordance with the *Local Government Act 1995*, *Local Government (Financial Management) Regulation 1996* and the *Salaries and Allowances Act 1975*, Council adopts:

- Councillors' annual meeting attendance fee, totaling \$10,647.
- Annual WMRC Chair meeting attendance fee, totaling \$15,966.
- Annual WMRC Chair's allowance of \$11,235.
- Annual WMRC Deputy Chair's allowance of \$2,809.
- Annual ICT allowance of \$575 per elected member.

- Attendance fee per independent Audit, Risk and Improvement Committee member: \$450 per meeting.

#### **9.1.4 Recommendation 4 – Material Variance reporting for 2025-26**

In accordance with regulation 34(5) of the *Local Government (Financial Management) Regulation 1996*, Council resolve to set the level to be used in statements of financial activity in 2025-26 for reporting variances at 10% or \$20,000, whichever is the greater.

## 9.2 FINANCIAL STATEMENTS

**Responsible Officer:** Manager Corporate Services

**Date:** 12 June 2025

**Attachments:** 9.2A Financial Report for April 2025

### PURPOSE

To provide a monthly and year-to-date summary of the WMRC's operating performance and financial position, along with explanations of variance to budget.

### BACKGROUND

*Local Government (Financial Management) Regulation 34* requires monthly financial activity statements to be presented to the Council. The statements include a statement of financial activity reporting on revenue and expenditure, as set out in the annual budget under FM regulation 22(1)(d).

Each year, Council is required to adopt a percentage or value to be used for material variance (actual versus budget/forecast) reporting accompanied with explanatory notes. At its meeting on 6 June 2024, the Council adopted a value of \$20,000 or 10% for reporting material variances (actual versus budget/forecast).

Ordinarily this report would have been presented to the May 2025 Ordinary Council meeting. The timing of the meeting however preceded finalisation of financial position for April, necessitating reporting to this meeting.

### DETAIL AND OPTIONS ANALYSIS

The following financial attachments outline the business performance and position for the year-to-date periods ended 30 April 2025.

#### ***April Year-to-date***

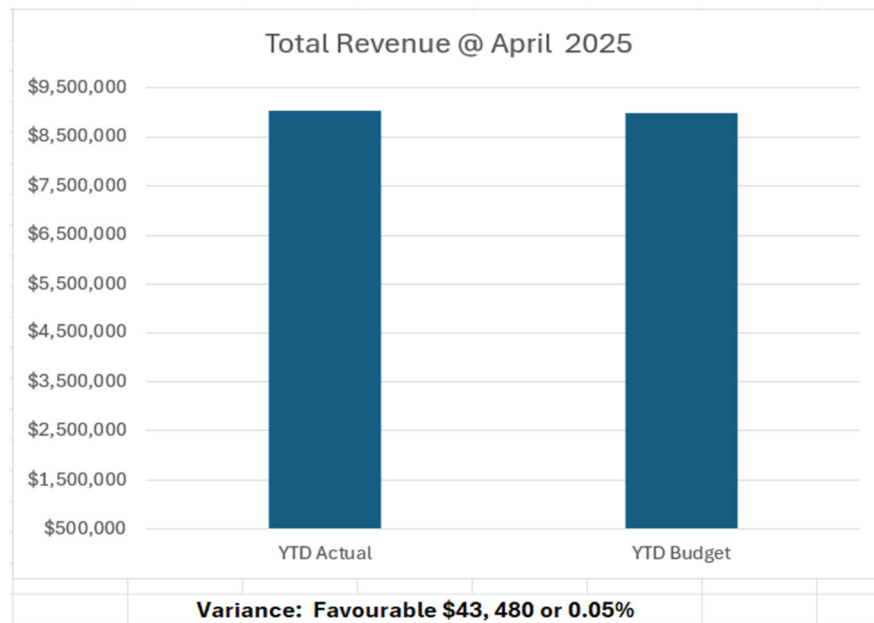
Year-to-Date (YTD) to 30 April 2025, WMRC recorded comprehensive income (net income) \$541,888 compared to a budget of \$418,210. Further details are in Attachment 10-1A.

Operating revenues for the YTD are \$9,033,730 against a budget of \$8,990,250 (0. 5% over budget)

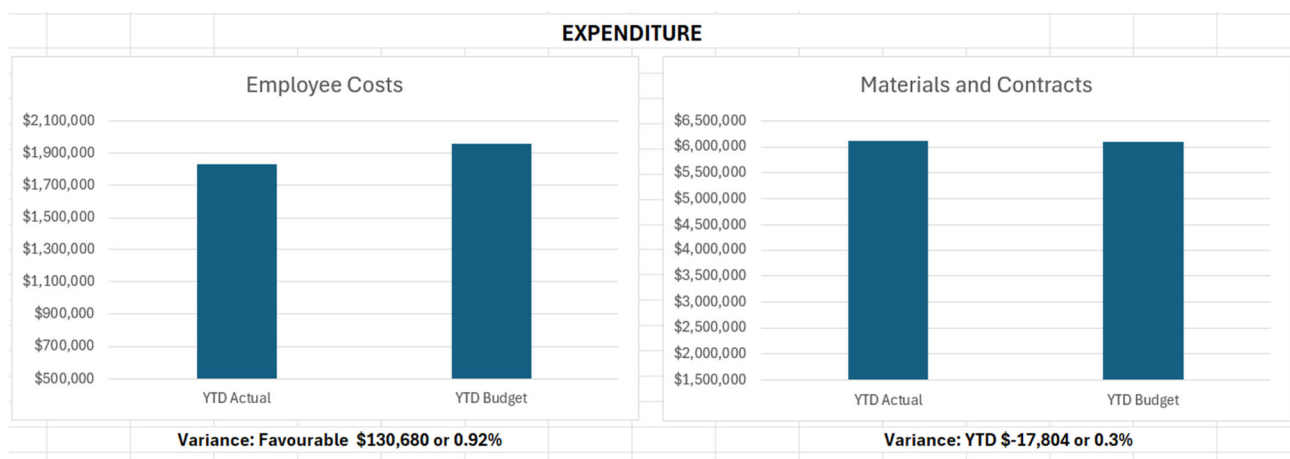
Operating expenses for this period are \$8,491,842 against a budget of \$8,572,040(0.94% under budget)

Variance analysis in relation to each activity area is included in the attachment.

## Summary of Major Activity Area



For the last 10 months of the financial year to date, total revenue, including Fees & Charges, Service Delivery Charges (SDC), and other income sources—reached \$9,033,730, slightly exceeding the budgeted figure of \$8,990,250. This results in a favorable variance of \$43,480 for WMRC. The increase is primarily driven by a small rise in site tonnage compared to the volume modelled for budget purposes.



On the expenditure side, employee costs are being effectively controlled, with year-to-date savings of \$130,680. However, Materials and Contracts have exceeded the year-to-date budget by \$17,804, primarily due to higher costs associated with increased tonnage, higher item throughput.

## **RISK MANAGEMENT**

Regular reviews, careful planning and reporting, and continuous improvements on process and controls help to manage WMRC's financial risks.

## **COMMUNICATION AND CONSULTATION**

The financial performance of the WMRC is discussed amongst WMRC management and with CEOAC at its meetings every two months.

## **REPORT IMPLICATIONS**

### **Legislation and Policy Alignment**

#### ***Local Government (Financial Management) Regulations***

Regulation 34 requires monthly financial activity statements to be presented to Council. A Statement of Financial Activity is the minimum requirement and must contain:

- annual budget estimates
- monthly budget estimates
- monthly actual expenditure, revenue, and income
- material variances between comparable amounts with an explanation of material differences
- the net current assets at month end
- statement of financial position

The financial reporting is prepared in accordance with Council Policy: Finance. Policies are reviewed from time to time as required to ensure compliance with legislative and statutory obligations.

### **Business and Strategic Alignment**

Strategic action 5 in the Strategic Community Plan is to develop a strong and capable organisation.

### **Financial and Resource Implications**

The report presents the operating performance and statement of financial position of the Council.

## **COMMENTS**

It is recommended that Council note the financial results to date against budget.

## **VOTING REQUIREMENTS**

Simple majority.

### **RESPONSIBLE OFFICER'S RECOMMENDATION**

#### **9.2 Council resolve to note the financial reports for April 2025.**

## 9.3 AWARD OF TENDER - WASTE TRANSFER BUNKER WORKS

**Responsible Officer:**

**Manager Operations**

**Date:**

**12 June 2025**

**Attachment:**

**Confidential Attachment 9.3A**

**Confidential Attachment 9.3B**

### PURPOSE

To recommend award of tender RFT 02-2025 to undertake works within the West Metro Recycling Centre transfer station building to create a waste transfer bunker.

### BACKGROUND

#### Renewal Works

At its meeting on 1 August 2024, Council addressed WMRC Recycling Centre operational matters to set directions for infrastructure renewal. This recognised the need to replace the aged NCH Silo System, resolving safety and operational concerns.

The report to Council in August 2024 considered a phased approach, namely:



Phase One works involve retiring the NCH Silo system for transport of general (red-lid bin) waste from the Recycling Centre. This comprises:

- modifying the transfer station building to allow general waste to be tipped onto the floor from waste trucks, for loading into an existing chute and horizontal compactor.
- procuring two waste trailers for loading of waste from the static compactor.
- purchasing a prime mover truck to haul the aggregated and compacted waste within trailers offsite.

These works were set out in a Business Plan that was adopted by Council on 30 October 2024. The Plan demonstrated how the improvements would improve service reliability, provide scalability, improve worker safety, achieve operational efficiency, provide a return on investment, improvement market-competitive costs of processing and being financially achievable. Funding has subsequently been obtained in-line with the Business Plan and reflected in budget provisions.

This report addresses an essential component of the first work package which is to create a bunker to receive general waste prior to placement into the chute for compaction.

## Tender Process

WMRC issued a Request for Tender – RFT 02 -2025 WMRC Waste Transfer Bunker Works on 26 March 2025. The tender period closed at 2 pm AWST on 7 May 2025. The tender was advertised through TenderLink, the WMRC website and an advertisement in the West Australian on 26 March 2025.

At the time of Tender closing, no submissions were received.

One Contractor approached the WMRC to be allowed to submit their tender a week after the closing date. This tender was subsequently lodged.

The *Local Government (Functions and General) Regulations 1996* deals with circumstances where Tenders are required to be sought. Regulation 11(2) provides authority for Local Government to not seek tenders again within a six-month period where no tender submissions are received. Given the likelihood of still not achieving multiple tenders it is recommended that the tender submitted after the closing date be assessed.

## DETAIL

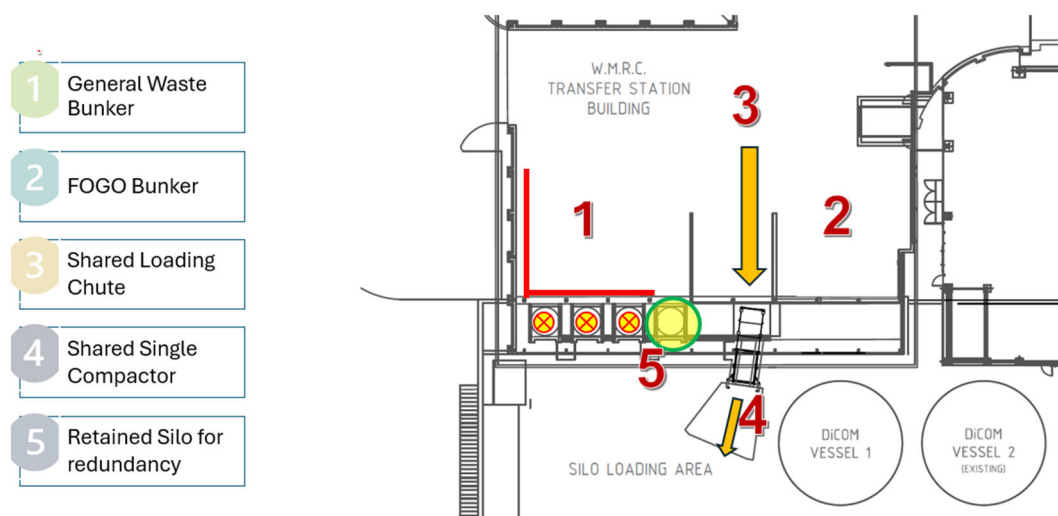
### Overview

The tender specification called for contractor(s) to manufacture concrete wall panels and impact barriers and install these inside the Recycling Centre waste receiving area. They would be placed within the area that is currently used for the NCH silo system. The walls are shown in 'red' in the diagram below.

Once complete, general waste can be safely tipped from collection trucks onto the bunker floor. WMRC staff can then utilise a front-end loader to load the waste into the adjacent chute that supplies the static compactor and connected waste trailer. The walls will allow the front end loader to push-up against them, filling the loader bucket for placement in the chute.

At this stage, one silo bay will remain available for use until subsequent decisions are made as to the Redevelopment of the Recycling Centre. This arrangement will afford redundancy capability.

The diagram below illustrates the planned arrangements:



## Assessment Criteria

The Compliance Criteria for tender submissions were designed to provide assurance that potential Contractors had suitable insurances, company structures, identification of any conflicts of interest and initial financial risk criteria to allow consequential assessment of Tenders.

Qualitative Criteria were developed and weighted as below:

- A. Relative Experience and Expertise – 50%
- B. Resource Planning and Availability – 40%
- C. Understanding of Installation – 10%

Price was to be evaluated after the qualitative assessment to identify a Contractor providing the best value for money outcome.

## Evaluation Process

The WMRC Project Manager conducted compliance, qualitative and quantitative assessment of the tender with the WMRC's Manager Operations providing governance oversight as well as review and concurrence to the assessment findings.

## Evaluation Results

The single tender has been assessed as set out in **Confidential Attachment 9.3A**.

The tender invitation set out a qualitative pass mark requirement of 50%. The submitted tender achieved this pass mark and thus proceeded to price assessment as also contained within the attachment.

After considering both the qualitative scoring, price outcomes and contract risk, it is concluded that the tenderer would be suitable to undertake the works.

## RISK MANAGEMENT

This report and subsequent contract award would assist mitigation of Strategic Level risks associated with the following areas of the Corporate Risk Register:

- Strategic - SS1
- Commercial and Legal – SC2
- Financial – SF1
- Workplace Health & Safety – WHSS1
- Operational – SO1
- Reputational – SR7

## COMMUNICATION AND CONSULTATION

Nil

## REPORT IMPLICATIONS

### Legislation and Policy Alignment

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996*



## Business and Strategic Alignment

SCP Strategy 1: Achieve a comprehensive, cost-effective waste management service across the region.

## Financial and Resource Implications

The Special Council Meeting of 30 October 2024 Report 9.1 Business Case – Recycling Centre Renewal and Fleet Acquisition discussed a budget allocation of \$250,000 to undertake the works at the Recycling Centre Waste Bunker which covered the Bunker Works and modifications to compaction equipment. The funding for these works, along with Fleet Acquisition was outlined at a total of \$ 1.25m funded from Reserve (\$500k) and Loan Facility (\$750k).

The proposed works may exceed the \$250,000 budget. In this case, additional funding will be managed through the overall 2025/26 operational budget with savings in other areas or through subsequent budget amendment if required. This may involve deferring and reassessing the need for modifications to the chute to the static compactor and/or economising on acquisition of a prime mover.

## COMMENTS

Award of tender will allow the necessary changes to the transfer station building to manage general waste. The works are in-line with the approved Business Plan and can be accommodated within the context of the overall budget, noting some savings will be required in other areas to compensate over budget for this component of the upgrade.

The tenderer is deemed suitable to undertake the works and is able to complete such in a timely manner. Flexibility to coordinate with the WMRC to work around weekday operational needs of the facility has also been demonstrated. Having regard for these circumstances, award of the tender is recommended.

## VOTING REQUIREMENT

Absolute majority

## RESPONSIBLE OFFICER'S RECOMMENDATION

- 9.3.1**      **That Council resolve to award tender RFT 02-2025 in line with recommendations within Confidential Attachment 9.3B.**
- 9.3.2**      **That Council resolve, pursuant to section 9.49A(4) of the *Local Government Act 1995*, to delegate authority to the Chief Executive Officer to execute all necessary documents for this Tender award and contract.**

## 9.4 TENDER RECOMMENDATION REPORT: WMRC WASTE HAULAGE AND PROCESSING SERVICES

**Responsible Officer:**

**Manager Operations**

**Date:**

**12 June 2025**

**Attachment:**

**Confidential Attachment 9.4A**

**Confidential Attachment 9.4B**

### PURPOSE

To recommend award of tender RFT 03-2025 to provide various waste processing and haulage services to the WMRC.

### BACKGROUND

The West Metro Recycling Centre receives a variety of waste streams from member Councils, customer Councils, the general community and commercial businesses.

The waste streams are aggregated and then hauled away to processing facilities. Various contractors are engaged to provide the haulage and processing services for the WMRC.

WMRC issued a Request for Tender RFT 03 -2025 WMRC Waste Haulage and Processing Service on 16 April 2025. The tender period closed at 2 pm AWST on 7 May 2025. The tender was advertised through TenderLink, the WMRC website and an advertisement in the West Australian on 16 April 2025.

Services within the scope of the tender have been provided to date by Perth Bin Hire, with the exception of asbestos disposal being received by EMRC at Red Hill and scrap steel received by Sims Metal. The current contractor has performed satisfactorily.

### DETAIL

#### Contract Overview

The tender was designed such that Contractors could tender for any or all of the following services:

- 1 Disposal of Asbestos Waste
- 2 Processing of Bulk Waste received at Recycling Centre as well as delivered directly to processing facility by Verge Valet Contractor
- 3 Construction and Demolition Waste - Haulage & Processing
- 4 Acceptance of Scrap Metal (with provision of rebate value of metals to WMRC)
- 5 Haulage of Asbestos, Bulk Waste and Scrap Metal from the Recycling Centre to the relevant processing facilities.

The Processing of Bulk Waste service would also accept bulk waste collected by the WMRC's Verge Valet service provider.

The contract(s) would be structured around a schedule of rates for the relevant service which would be reviewed annually in line with Perth CPI. The initial term for the contract(s) would expire on 30 June 2029. At the sole discretion of WMRC, a further term extension of 2 years may be granted with a further final term extension of 1 year also at sole discretion of WMRC.

### Assessment Criteria

The Compliance Criteria were designed to provide assurance that potential Contractors had suitable insurances, company structures, identification of any conflicts of interest and initial financial risk criteria to allow consequential assessment of Tenders.

Qualitative Criteria were developed and weighted specific to the Service being tendered as per the table below:

Number	Service	Description of Criteria	Weighting
1	<b>Asbestos Disposal</b>	Details of Processing Facility	100%

2	<b>Bulk Waste Processing</b>	Details of Processing Facility, Typical recovery rates	100%
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3	<b>Construction and Demolition Waste Haulage &amp; Processing</b>	Details of Processing Facility, Typical recovery rates	50%
		Details of Haulage experience	40%
		Innovation	10%

4	<b>Acceptance of Scrap Metal</b>	Details of Processing Facility, Typical recovery rates	100%
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5	<b>Haulage of Asbestos, Bulk Waste &amp; Scrap Metal</b>	Details of Haulage experience	50%
		Fleet and Bin size and contract lead time	40%
		Innovation	10%

Price was evaluated after assessment of the qualitative criteria for each service.

## Evaluation Process

An evaluation panel was formed comprising:

- Brett Jackson Project Manager (Chair)
- Rick Bryant Manager Operations
- Paul Wells, Supervisor, Recycling Centre

All members of the panel provided signed declarations of no financial or other interest and to retain confidentiality. They were provided with an evaluation workbook and the received compliant tender submissions.

The evaluation panel met on 21 May 2025.

## Evaluation Results

Four tender submissions were received by the stipulated date & time of tender close. After assessment of compliance criteria all four tenders were deemed compliant and proceeded to Qualitative Assessment.

Alternative tender submissions were received relating to provision of different methods of haulage of waste streams from the Recycling Centre.

Tenderers were able to submit bids for one or more of the services on offer. The summary of bids received, and services proposed is as follows:

Service	Tenderer A	Tenderer B	Tenderer C	Tenderer D
Service 1: Asbestos Processing	Yes	No	No	Yes
Service 2: Bulk Waste Processing	Yes	No	Yes	Yes
Service 3: C&D Haulage & Processing	Yes	No	No	Yes
Service 4: Acceptance of Scrap Metal	Yes	Yes	No	No
Service 5: Haulage of Asbestos, Bulk Waste & Scrap Metal	Yes	No	No	Yes

It is noted that there were competitive bids for each service.

Each panel member individually assessed each submission prior to meeting and forming a consensus.

The tender assessment report is provided in **Confidential Attachment 9.4A**.

A summary of the assessment of the qualitative criteria is provided below:

#### Service 1: Asbestos Disposal

	Weighting	Tenderer A	Tenderer D
Details of facility	100%	80%	50%

#### Service 2: Bulk Waste Processing

	Weighting	Tenderer A	Tenderer C	Tenderer D
Details of facility	100%	80%	60%	70%

#### Service 3: Construction & Demolition Waste – Haulage & Processing

	Weighting	Tenderer A	Tenderer D
Details of Processing	50%	35%	40%
Details of Haulage	40%	28%	32%
Innovation	10%	6%	7%
<b>Total</b>	<b>100%</b>	<b>69%</b>	<b>79%</b>

#### Service 4: Acceptance of Scrap Metal

	Weighting	Tenderer A	Tenderer B
Disposal of Facility	100%	80%	10%

#### Service 5: Haulage of Asbestos, Bulk Waste and Scrap Metal

	Weighting	Tenderer A	Tenderer D
Disposal of Haulage	50%	35%	35%
Details of Fleet & Bins	40%	28%	32%
Innovation	10%	6%	8%
<b>Total</b>	<b>100%</b>	<b>69%</b>	<b>75%</b>

The tender invitation set out a qualitative pass mark requirement of 50% for the relevant Service. All compliant tenderers that achieved this pass mark proceeded to price assessment.

Tender prices for the Services are detailed in Confidential Attachment 9.4A.

After considering both the qualitative scoring, price outcomes and contract risk, the panel concluded that the Preferred Tenderer for each Service as follows:

Service	Preferred Tenderer
1. Disposal of Asbestos	A
2. Processing of Bulk Waste	A
3. Construction & Demolition – Haulage & Processing	A
4. Acceptance of Scrap Metal	A
5. Haulage of Asbestos, Bulk Waste & Scrap Metal	A

The full details of the Recommendation are provided in Confidential Attachment 9.4B.

## RISK MANAGEMENT

This report and subsequent contract award would assist mitigation of Strategic Level risks associated with the following areas of the Corporate Risk Register:

Commercial and Legal – SC2  
Operational – SO1  
Reputational – SR4, SR6

## COMMUNICATION AND CONSULTATION

None

## REPORT IMPLICATIONS

### Legislation and Policy Alignment

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996*

### Business and Strategic Alignment

SCP Strategy 1: Achieve a comprehensive, cost-effective waste management service across the region

### Financial and Resource Implications

The new rates for the Services have been incorporated into the draft 2025/2026 Budget to be adopted by Council.

The anticipated 2025/2026 cost of each service is (rounded):

	Annual Value (ex GST)
1. Disposal of Asbestos	\$ 6,000
2. Processing of Bulk Waste	\$ 2,100,000
3. Construction & Demolition – Haulage & Processing	\$ 90,000
4. Acceptance of Scrap Metal (rebate)	\$ 15,000
5. Haulage of Asbestos, Bulk Waste & Scrap Metal	\$ 203,000

Rates for services will be adjusted annually by CPI. Actual costs in any year will be dependent on tonnages of waste received and trips from the Recycling Centre as well as movements in the commodity pricing for scrap metals.

## COMMENTS

This tender afforded potential Contractors the best opportunity to either tender for all services or put forward offers for areas of their specialty. Having all options on the table at the same time presented WMRC with the benefit of modelling a mix of service providers to gain an appreciation of the best overall value for WMRC.

The preferred contractor is considered to be most advantageous to the WMRC, providing financial and level of service benefits. Appointment is recommended accordingly.

## VOTING REQUIREMENT

Absolute majority

## RESPONSIBLE OFFICER'S RECOMMENDATION

- 9.4.1 That Council resolve to award tender RFT 03-2025 in line with recommendations within Confidential Attachment 9.4B.**
- 9.4.2 That Council resolve in accordance with section 9.49A(4) of the *Local Government Act 1995* to delegate authority to the Chief Executive Officer to execute all necessary documents for this Tender award and contract.**

## 9.5 REVIEW OF PERFORMANCE OF CEO

**Responsible Officer:** Chief Executive Officer

**Date:** 12 June 2025

**Attachments:** Nil

### PURPOSE

To determine a process to undertake a review of performance of the CEO for 2024/25.

### BACKGROUND

A review of the performance of the CEO is to be undertaken annually. This is required by the *Local Government Act 1995* and is to be in accordance with the *Local Government (Administration) Regulations 1996* and Council Policy. The arrangements require reviews to be undertaken in an impartial and transparent manner by reference to performance criteria. The process for the review must also be agreed between the Council and the CEO.

Employment of the CEO commenced on 24 June 2024, necessitating a review of performance around this time in 2025.

### DETAILS

It is appropriate for a consultant to be appointed to conduct the annual CEO performance review. This should be a practitioner with senior experience in executive leadership, governance (in the context of local government) and human resource management. To this end, invitations to submit quotes can be extended to select consultants – chosen from a list of known personnel and individuals identified by WALGA as suitable for the task.

An invitation to provide a quote would request submission of a proposed methodology, anticipating the following elements:

- Survey of elected members in relation to satisfaction of position objectives and key performance indicators;
- Consultant holding individual discussion with each elected member;
- Survey of member Council CEO's and the WMRC management team;
- Consideration of the CEO's own assessment of performance in relation to position objectives and performance indicators;
- Consultant meeting with Council to discuss recommendations, including:
  - Findings in relation to performance;
  - Performance criteria for next period;
  - Professional development recommendations;
  - Proposed remuneration level.
- Report on outcomes and recommendations for presentation to Council.



The points above are to assist consultants gauge Council's expectations so as to assist preparation of a submission. The consultants will be invited to set out their recommended methodology within a submission.

## **RISK MANAGEMENT**

The CEO holds responsibility for the risk framework for the organisation and the management of all risks and associated controls.

## **COMMUNICATION AND CONSULTATION**

None.

## **REPORT IMPLICATIONS**

### **Legislation and Policy Alignment**

*Local Government Act 1995, s5.38*

Council Policy: Standards for CEO Recruitment, Performance and Termination

### **Business and Strategic Alignment**

Strategic action 5 in the Strategic Community Plan is to develop a strong and capable organisation.

### **Financial and Resource Implications**

Nil.

## **COMMENTS**

The proposed approach to the review will ensure a professional and fair assessment of performance over the 2024/25 period. It allows independent input from WMRC Councillors along with member Council CEOs and WMRC management staff. Findings and recommendations would be presented to Council for consideration.

The terms of the recommendation will enable the review to be undertaken.

## **VOTING REQUIREMENT**

Simple majority.

## **RESPONSIBLE OFFICER'S RECOMMENDATION**

- 9.5.1 That Council resolve to endorse the CEO performance review process set out in report 9.5.**
- 9.5.2 The Council resolve to authorise the Chair and Deputy Chair to, in consultation with the CEO, agree a shortlist of consultants to be invited to submit quotes to facilitate the CEO performance review process and to select a consultant to be appointed following review of submissions.**

## **10. INFORMATION BULLETINS**

## **11. MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

## **12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

## **13. MEMBERS' QUESTIONS WITHOUT NOTICE**

## **14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

## **15. MATTERS BEHIND CLOSED DOORS**

It is proposed that the following items be considered in a closed session:

- 15.1 Legal Proceedings – DiCOM and WMRC

### **RESPONSIBLE OFFICER RECOMMENDATION:**

That in accordance with Sections 5.23(2) 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:

#### **15.1 (b), (c), (d), (e)**

- 
- (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (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.

- (f) a matter that if disclosed, could be reasonably expected to —
  - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
  - (ii) endanger the security of the local government's property; or
  - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
- (h) such other matters as may be prescribed.

#### **RESPONSIBLE OFFICER'S RECOMMENDATION**

**15.1.1** That Council adopt the recommendations set out in item 15.1.

## **16. BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING**

## **17. GENERAL BUSINESS**

## **18. CLOSURE OF MEETING**