



SECTION 15

Minutes of Committees

For the Ordinary Meeting of Council

5 December 2019

Item 15.1 – CEOPRC Minutes 1 October 2019 (Part 1)

Item 15.2 – CEOPRC Minutes 17 October 2019 (Part 1)

Item 15.3 – WAC Minutes 21 November 2019(Part 1)

Item 15.4 – AC Minutes 21 November 2019 (Part 2)

Item 15.5 – CEOAC Minutes 26 November 2019 (Part 3)



SECTION 15

PART 1

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE (CEOPRC)

MINUTES

1 October 2019

(Ref: D2019/14602 (CEOPRC) - D2019/17336)

A meeting of the Chief Executive Officer Performance Review Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **1 October 2019**. The meeting commenced at **5:37pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 5:37pm, welcomed Councillors and acknowledged the traditional custodians of the land on which the meeting was held and paid respects to the elders past, present and future.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Committee Members

Cr Dylan O'Connor (Chairman)	EMRC Member	City of Kalamunda
Cr David McDonnell (Deputy Chairman)	EMRC Member	City of Swan
Cr Jai Wilson	EMRC Member	Town of Bassendean
Cr Sally Palmer	EMRC Member	City of Bayswater
Cr John Daw	EMRC Member	Shire of Mundaring

Visitor(s)

Mr Prapti Mehta	Consultant
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EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Ms Angela Wolstencroft	Manager Human Resources

3 DISCLOSURE OF INTERESTS

At the invitation of the Chairman, the Chief Executive Officer advised the following disclosures of interest.

3.1 ANGELA WOLSTENCROFT – MANAGER HUMAN RESOURCES – INTERESTS AFFECTING IMPARTIALITY

Item:	14.1
Subject:	Confidential Item 14.1 - Chief Executive Officer (CEO) - Probationary Review
Nature of Interest:	Disclosure of Interests Affecting Impartiality, EMRC Code of Conduct 2.3. Due to reporting relationship to the CEO

3.2 MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item:	14.1
Subject:	Confidential Item 14.1 - Chief Executive Officer (CEO) - Probationary Review
Nature of Interest:	Disclosure of Interests Affecting Impartiality, EMRC Code of Conduct 2.3. Subject matter of the Report directly applies to the Chief Executive Officer

3.3 MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – FINANCIAL INTEREST

Item:	14.1
Subject:	Confidential Item 14.1 - Chief Executive Officer (CEO) - Probationary Review
Nature of Interest:	Disclosure of Financial Interest, Sections 5.60B, 5.65, 5.70 and 5.71 of the <i>Local Government Act 1995</i> . Subject matter of the Report directly applies to the Chief Executive Officer

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil



5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 27 SEPTEMBER 2018

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 27 September 2018 which have been distributed, be confirmed.

It was discussed at the meeting that the confirmation of the 27 September 2018 minutes be deferred until the next CEOPRC meeting being held on 17 October 2019.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL

SECONDED CR WILSON

THAT THE MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 27 SEPTEMBER 2018 BE DEFERRED FOR CONFIRMATION TO THE CEOPRC MEETING BEING HELD ON 17 OCTOBER 2019.

CARRIED UNANIMOUSLY

7 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

8 QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report item is covered in Section 14 of this agenda.

9.1 CHIEF EXECUTIVE OFFICER (CEO) – PROBATIONARY REVIEW



10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

11 REPORTS OF EMPLOYEES

Nil

12 REPORTS OF DELEGATES

Nil

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING

Nil

14 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(a), (b), (c) and (e) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

CEOPRC RESOLUTION

MOVED CR MCDONNELL

SECONDED CR WILSON

THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2)(A), (B), (C) AND (E) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 5:40pm.

14.1 CHIEF EXECUTIVE OFFICER (CEO) PROBATIONARY REVIEW

REFERENCE: D2019/14607

This item is recommended to be confidential because it contains matters affecting an employee and is to be treated as confidential in accordance with EMRC Policy 4.1 – Chief Executive Officer Appointment, Performance Assessment and Review Policy.

See Confidential Item circulated with the Agenda under Separate Cover.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL

SECONDED CR WILSON

THAT THE STANDING ORDERS BE SUSPENDED.

CARRIED UNANIMOUSLY



The Standing Orders were suspended at 5:42pm.

The Chief Executive Officer departed the meeting at 6:30pm.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL SECONDED CR PALMER

THAT STANDING ORDERS BE REINSTATED.

CARRIED UNANIMOUSLY

The Standing Orders were reinstated at 6:33pm.

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

CEOPRC RESOLUTION

MOVED CR MCDONNELL SECONDED CR PALMER

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 6:36pm.

Recording of the recommendations passed behind closed doors, namely:

14.1 CHIEF EXECUTIVE OFFICER (CEO) PROBATIONARY REVIEW

REFERENCE: D2019/14607

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL SECONDED CR PALMER

THAT:

1. CONFIRMS THE APPOINTMENT OF PRAPTI MEHTA AS THE CONSULTANT TO ASSIST THE COMMITTEE IN REVIEWING THE PERFORMANCE OF THE CHIEF EXECUTIVE OFFICER DURING HIS PROBATIONARY PERIOD.
2. THE COMMITTEE APPROVES THE CHIEF EXECUTIVE OFFICERS PROBATIONARY REVIEW FORM PROVIDED BY THE CONSULTANT.
3. APPROVES THE PROCESS TO BE UNDERTAKEN IN RELATION TO THE CHIEF EXECUTIVE OFFICER'S PROBATIONARY REVIEW
4. THAT THE COMMITTEE RECEIVES THE KEY PERFORMANCE INDICATOR TIMEFRAMES AS OUTLINED IN SCHEDULE 3 OF THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT CONTRACT AS AMENDED IN CONJUNCTION WITH THE CHIEF EXECUTIVE OFFICER.
5. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.

CARRIED UNANIMOUSLY



15 FUTURE MEETINGS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

The next meeting of the Chief Executive Officer Performance Review Committee will be held on **Thursday, 17 October 2019** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 5:30pm.

16 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:38pm.

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE (CEOPRC)

MINUTES

17 October 2019

(Ref: D2019/14658 (CEOPRC) - D2019/17337)

A meeting of the Chief Executive Officer Performance Review Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **17 October 2019**. The meeting commenced at **5:11pm**.

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3.2	MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – INTERESTS AFFECTING IMPARTIALITY – ITEM 14.1	1
3.3	MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – FINANCIAL INTEREST – ITEM 14.1	1
4	ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION	1
5	PETITIONS, DEPUTATIONS AND PRESENTATIONS	2
6	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	2
6.1	MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 27 SEPTEMBER 2018 (Ref: D2018/12200)	
6.2	MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 1 OCTOBER 2019 (Ref: D2019/15110)	
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12	REPORTS OF DELEGATES	3
13	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING	3
14	CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	3
14.1	CHIEF EXECUTIVE OFFICER PROBATIONARY REVIEW (Ref: D2019/14988)	3
15	FUTURE MEETINGS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE	5
16	DECLARATION OF CLOSURE OF MEETING	5



1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 5:11pm.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Committee Members

Cr Dylan O'Connor (Chairman)	EMRC Member	City of Kalamunda
Cr David McDonnell (Deputy Chairman)	EMRC Member	City of Swan
Cr Jai Wilson (from 5:35pm)	EMRC Member	Town of Bassendean
Cr Sally Palmer	EMRC Member	City of Bayswater
Cr Janet Powell	EMRC Member	City of Belmont
Cr John Daw	EMRC Member	Shire of Mundaring

Visitor(s)

Ms Prapti Mehta	Consultant
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EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Ms Angela Wolstencroft	Manager Human Resources
Ms Theresa Eckstein	Executive Assistant to CEO (Minutes)

3 DISCLOSURE OF INTERESTS

At the invitation of the Chairman, the Chief Executive Officer advised the following disclosures of interest.

3.1 ANGELA WOLSTENCROFT – MANAGER HUMAN RESOURCES – INTERESTS AFFECTING IMPARTIALITY

Item:	14.1
Subject:	Confidential Item 14.1 - Chief Executive Officer Probationary Review
Nature of Interest:	Disclosure of Interests Affecting Impartiality, EMRC Code of Conduct 2.3. Due to reporting relationship to the CEO

3.2 MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item:	14.1
Subject:	Confidential Item 14.1 - Chief Executive Officer Probationary Review
Nature of Interest:	Disclosure of Interests Affecting Impartiality, EMRC Code of Conduct 2.3. Subject matter of the Report directly applies to the Chief Executive Officer

3.3 MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – FINANCIAL INTEREST

Item:	14.3
Subject:	Confidential Item 14.3 - Chief Executive Officer Probationary Review
Nature of Interest:	Disclosure of Financial Interest, Sections 5.60B, 5.65, 5.70 and 5.71 of the <i>Local Government Act 1995</i> . Subject matter of the Report directly applies to the Chief Executive Officer

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil



5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 27 SEPTEMBER 2018

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 27 September 2018 which have been distributed, be confirmed.

CEOPRC RESOLUTION(S)

MOVED CR PALMER

SECONDED CR MCDONNELL

THAT THE MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 27 SEPTEMBER 2019 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

6.2 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD 1 OCTOBER 2019

That the minutes of the Chief Executive Officer Performance Review Committee meeting held on 1 October 2019 which have been distributed, be confirmed.

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL

SECONDED CR PALMER

THAT THE MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING HELD ON 1 OCTOBER 2019 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

7 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

8 QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil



9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report item is covered in Section 14 of this agenda.

9.1 CHIEF EXECUTIVE OFFICER (CEO) – PROBATIONARY REVIEW

10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil

11 REPORTS OF EMPLOYEES

Nil

12 REPORTS OF DELEGATES

Nil

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING

Nil

14 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(a), (b), (c) and (e) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

CEOPRC RESOLUTION

MOVED CR MCDONNELL

SECONDED CR PALMER

THAT THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2)(A), (B), (C) AND (E) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 5:14pm.

The Chief Executive Officer and the Executive Assistant to the CEO departed the meeting at 5:18pm.



14.1 CHIEF EXECUTIVE OFFICER (CEO) PROBATIONARY REVIEW

REFERENCE: D2019/14607

This item is recommended to be confidential because it contains matters affecting an employee and is to be treated as confidential in accordance with EMRC Policy 4.1 – Chief Executive Officer Appointment, Performance Assessment and Review Policy.

The Committee considered the Confidential Item circulated with the Agenda under Separate Cover.

The Chief Executive Officer and the Executive Assistant to the CEO re-entered the meeting room at 5:56pm.

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

CEOPRC RESOLUTION

MOVED CR MCDONNELL

SECONDED CR PALMER

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 5:57pm.



Item 14.1 continued

Recording of the recommendations passed behind closed doors, namely:

14.1 CHIEF EXECUTIVE OFFICER (CEO) PROBATIONARY REVIEW

REFERENCE: D2019/14607

CEOPRC RESOLUTION(S)

MOVED CR MCDONNELL

SECONDED CR PALMER

THAT:

1. THE COMMITTEE RECEIVES THE REPORT OF THE CONSULTANT, PRAPTI MEHTA AND ADOPTS THE FINDINGS OF THE CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD ASSESSMENT.
2. THE COMMITTEE AUTHORISES THE CHAIRMAN OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE TO ADVISE THE CHIEF EXECUTIVE OFFICER OF THE OUTCOME OF THE PROBATIONARY PERIOD ASSESSMENT.
3. THE COMMITTEE RECOMMENDS THAT THE COUNCIL AMENDS THE CEO'S KEY PERFORMANCE INDICATORS AND THEIR ASSOCIATED TIMEFRAMES IN THE TERMS SET OUT IN THE ATTACHMENT.
4. THE COMMITTEE NOTES AND REFERS TO THE COUNCIL THE REQUESTS MADE BY THE CHIEF EXECUTIVE OFFICER IN RELATION TO:
 - A) INCREASING THE TOTAL REMUNERATION VALUE TO THE MAXIMUM OF THE SALARIES AND ALLOWANCES TRIBUNAL BAND 2 CLASSIFICATION LEVEL.
 - B) THE REQUEST FOR A FLEXIBLE WORKING ARRANGEMENT TO BE AGREED AND INCORPORATED INTO THE CHIEF EXECUTIVE OFFICER'S EMPLOYMENT AGREEMENT.
5. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.

CARRIED UNANIMOUSLY

15 FUTURE MEETINGS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

The next meeting of the Chief Executive Officer Performance Review Committee will be held on **Thursday, 27 February 2020** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 5:30pm.

16 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:00pm.

WASTE ADVISORY COMMITTEE

MINUTES

21 November 2019

(REF: D2019/16048) (WAC) - D2019/17635

A meeting of the Waste Advisory Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 21 November 2019**. The meeting commenced at **5:00pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chief Executive Officer opened the meeting at 5:00pm, welcomed the visitor and acknowledged the traditional custodians of the land on which the meeting was held and paid respects to the elders past, present and future.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Committee Members

Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Giorgia Johnson	EMRC Member	City of Bayswater
Cr Steve Wolff	EMRC Member	City of Belmont
Cr Dylan O'Connor	EMRC Member	City of Kalamunda
Cr Doug Jeans	EMRC Member	Shire of Mundaring
Cr Mel Congerton	EMRC Member	City of Swan
Mr Brice Campbell (Deputising for Mr Adams)	Recycling and Waste Coordinator	Town of Bassendean
Mr Doug Pearson	Director Works and Infrastructure	City of Bayswater
Mr Murray Ralph	Acting Director Infrastructure Services	City of Belmont
Mr Brett Jackson (from 5:03pm)	Director Asset Services	City of Kalamunda
Mr Shane Purdy	Director Infrastructure Services	Shire of Mundaring
Mr Jim Coten	Executive Manager Operations	City of Swan
Mr Marcus Geisler	Chief Executive Officer	EMRC

Apologies

Mr Phillip Adams	Executive Manager Infrastructure	Town of Bassendean
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EMRC Officers

Mr Stephen Fitzpatrick	Director Waste Services
Mr Hua Jer Liew	Director Corporate Services
Mrs Wendy Harris	Director Regional Services
Mr Stephen Conway	Manager Engineering & Waste Services
Mr Dave Beresford	Manager Resource Recovery
Ms Annette Rakich	Administration Support Officer (Minutes)

EMRC Observers

Mr David Ameduri	Manager Financial Services
Miss Izabella Krzysko	Manager Procurement and Governance

Observer(s)

Cr Jai Wilson	EMRC Member	Town of Bassendean
Cr Lesley Boyd (from 6:08pm)	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring

Visitor(s)

Mr David Cocks	Manager Victoria, Tasmania	MRA Consulting Group
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3 DISCLOSURE OF INTERESTS

3.1 MARCUS GEISLER – CHIEF EXECUTIVE OFFICER – INTERESTS AFFECTING IMPARTIALITY

Item: 15.2
Subject: Confidential Report Item 15.2 – Lease of the Baywaste Site
Nature of Interest: Disclosure of Interests Affecting Impartiality, Due to the employment of son by the organisation identified in the report.

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil



5 ELECTION OF A CHAIRMAN AND DEPUTY CHAIRMAN OF THE WASTE ADVISORY COMMITTEE (WAC)

5.1 ELECTION OF A CHAIRMAN OF THE WASTE ADVISORY COMMITTEE (WAC)

REFERENCE: D2019/16504 (WAC) – D2019/17937

PURPOSE OF REPORT

The purpose of this report is to provide for an election to be conducted for the Office of Chairman of the Waste Advisory Committee (WAC).

KEY ISSUES AND RECOMMENDATION(S)

- It is a statutory requirement that the Committee elect a Chairman at the first meeting of the Waste Advisory Committee (WAC) after an Ordinary Council elections day.

Recommendation(s)

That the members of the Waste Advisory Committee elect a Chairman.

SOURCE OF REPORT

Director Corporate Services

BACKGROUND

At the Special Meeting of Council held on Monday, 4 November 2019 the EMRC Chairman and Deputy Chairman were elected and members of the EMRC Committees were appointed.

WAC MEMBERS 2019 - 2021

The following members were appointed to the WAC at the Special Meeting of Council held on Monday, 4 November 2019:

COUNCILLOR MEMBERS

Cr Kathryn Hamilton	Town of Bassendean
Cr Giorgia Johnson	City of Bayswater
Cr Steve Wolff	City of Belmont
Cr Dylan O'Connor	City of Kalamunda
Cr Doug Jeans	Shire of Mundaring
Cr Mel Congerton	City of Swan

OFFICER MEMBERS

Executive Manager Infrastructure	(Mr Phillip Adams)	Town of Bassendean
Director Works and Infrastructure	(Mr Doug Pearson)	City of Bayswater
Director Infrastructure Services	(Mr Murray Ralph)	City of Belmont
Director Asset Services	(Mr Brett Jackson)	City of Kalamunda
Director Infrastructure Services	(Mr Shane Purdy)	Shire of Mundaring
Executive Manager Operations	(Mr Jim Coten)	City of Swan
Chief Executive Officer	(Mr Marcus Geisler)	EMRC



Item 5.1 continued

In accordance with section 5.12(1) of the *Local Government Act 1995* (the Act), the members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1.

It is a requirement of Schedule 2.3 of the Act that the election is conducted by the Chief Executive Officer (CEO) and the nominations for the Office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations. Furthermore, if a member is nominated by another member the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the Office. Members are to vote on the matter by secret ballot.

The procedure outlined in Schedule 2.3 of the Act will be followed if there is an equality of votes.

REPORT

The CEO will preside at the meeting until the Office of Chairman of the WAC is filled.

The following material accompanies the agenda for this meeting as a means of assisting members of the Committee to nominate themselves or another member for the Office of Chairman of the WAC:

1. WAC Terms of Reference;
2. A blank nomination form for the Office of Chairman of the WAC, nominate oneself;
3. A blank nomination form for the Office of Chairman of the WAC, nominate another; and
4. A blank ballot paper for Election of Chairman of the WAC.

Ballot papers will be made available prior to voting.

The completed nomination forms are to be given to the CEO before the meeting or when the CEO calls for them when dealing with this item at the meeting.

STRATEGIC/POLICY IMPLICATIONS

Council Policy 2.1 Committees of Council provides for the establishment of the Waste Advisory Committee

Key Result Area 3 – Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil



Item 5.1 continued

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. WAC Terms of Reference (Ref: D2019/17945)
2. A blank nomination form for the Office of Chairman of the WAC, nominate oneself (Ref: D2019/17946)
3. A blank nomination form for the Office of Chairman of the WAC, nominate another (Ref: D2019/17946)
4. Ballot paper – Election of WAC Chairman (Ref: D2019/17947)

VOTING REQUIREMENT

Secret Ballot

RECOMMENDATION(S)

That the members of the Waste Advisory Committee elect a Chairman.

The CEO called for nominations for the Office of Chairman of the Waste Advisory Committee.

Cr Wolff nominated himself.

The CEO called for further nominations. No further nominations were received and the CEO closed nominations.

ANNOUNCEMENT: OF THE OFFICE OF CHAIRMAN

Their being no further nominations, the CEO declared Cr Wolff, Chairman of the Waste Advisory Committee unopposed for the term commencing 21 November 2019 until 2021.

The CEO congratulated Cr Wolff and vacated the Chair at 5:04pm.

At 5:03pm, Cr Wolff took the Chair.

Mr Jackson entered the room at this part of the meeting at 5:03pm

TERMS OF REFERENCE
WASTE ADVISORY COMMITTEE

1. OBJECTIVES OF COMMITTEE

The Waste Advisory Committee (WAC) is a formally appointed committee of Council and is responsible to that body. It has been established to:

- (a) review and provide reports on technical matters and recommendations to Council
- (b) advise on resource recovery matters for the Eastern Metropolitan Regional Council
- (c) advise on other waste related matters

2. RESPONSIBILITIES

The Waste Advisory Committee is to give consideration and prepare recommendations to Council in relation to:

- (a) Waste management, including the removal, processing, treatment and disposal of waste;
- (b) Waste related environmental and risk management;
- (c) Regional and Community Waste Education/Engagement Initiatives;
- (d) Activities of the Waste Management Community Reference Group; and
- (e) Other relevant waste related matters referred to it from time to time.

3. MEMBERSHIP

3.1. The Waste Advisory Recovery Committee will comprise of:

- (a) One Councillor from each of the member Councils;
- (b) A Principal Officer of each of EMRC's participant member Councils nominated by the member Council Chief Executive Officer; and
- (c) The Chief Executive Officer of the Eastern Metropolitan Regional Council (EMRC) or nominee. (Non-Voting Member)

3.2. Council will appoint deputy members to members of the Council on the WAC.

3.3. Member Council Chief Executive Officers will appoint a deputy principal officer member to on the WAC.

3.4. Members and Deputies will be appointed following each ordinary Council election for a period of up to two years up or such time until the next ordinary Council election whichever is earlier.

4. MEETINGS

- 4.1. The WAC shall hold regular meetings at such times and on such days as the Council may determine by resolution.
- 4.2. Additional meetings will be convened at the discretion of the Chairperson.

5. OPERATING PROCEDURES

- 5.1. All meetings of the WAC are to be conducted in accordance with the *Local Government Act 1995*, associated Regulations and the *EMRC Standing Orders Local Law 2013*.
- 5.2. A quorum for a meeting of the Committee shall be at least 50% of the number of voting offices (whether vacant or not) of members of the Committee.
- 5.3. The Chair and Deputy Chair of Committee shall be elected representatives (Councillors) from the member Councils.
- 5.4. Voting
 - (a) All decisions of the Committee shall be made on the basis of a simple majority decision of the members present or, if another kind of majority has been prescribed by regulations for the particular kind of decision, by that kind of majority.
 - (b) The Chief Executive Officer of the EMRC or nominee may participate in meeting discussions but is not entitled to vote.
 - (c) If the decision results in a tied vote, the person presiding is to cast a second vote.
 - (d) Persons other than Committee members, and the Chief Executive Officer of the EMRC or nominee are not entitled to cast a vote.
 - (e) All other aspects related to voting procedure shall be consistent with relevant sections of the *EMRC Standing Orders Local Law 2013*.
- 5.5. Other EMRC staff or member Council staff may attend meetings, at the discretion of the EMRC Chief Executive Officer and/or the Committee Chairperson, to provide advice and information when required.
- 5.6. The EMRC Chief Executive Officer may invite the attendance of any particular additional officer through the participant member Council Chief Executive Officer.
- 5.7. The EMRC Chief Executive Officer may invite other additional persons, including consultants, to provide advice and information when required.

6. REPORTING:

- 6.1 The Committee shall after every meeting forward the minutes of that meeting to the next Ordinary Meeting of Council, including a report explaining any specific recommendations and key outcomes.

7. DELEGATED POWER

- 7.1 The Waste Advisory Committee has no delegated powers and no authority to implement its recommendations.

Related Documentation:

Policy 2.1 Committees of Council

EMRC Standing Orders Local Law 2013

EMRC Code of Conduct

Administration:

Adopted / Reviewed by Council: 21 March 2019

Next Review: Following the Ordinary Elections in 2021

Responsible Directorate Waste Services



Nomination for Chairman of the Waste Advisory Committee

To the Chief Executive Officer

**I hereby nominate myself, _____ for the position of
Chairman of the Eastern Metropolitan Regional Council Waste Advisory
Committee for the term of Office commencing on the date of the election and
continuing until the next ordinary elections day and/or other circumstances
occur in accordance with section 5.11 of the *Local Government Act 1995*.**

Signed: _____

Date: _____



Nomination for Chairman of the Waste Advisory Committee

To the Chief Executive Officer

I hereby nominate _____ for the position of Chairman of the Eastern Metropolitan Regional Council Waste Advisory Committee for the term of Office commencing on the date of the election and continuing until the next ordinary elections day and/or other circumstances occur in accordance with section 5.11 of the *Local Government Act 1995*.

Signed: _____

Date: _____

*I _____ hereby certify that I accept the above nomination to the position of Chairman of the Eastern Metropolitan Regional Council Waste Advisory Committee.

Signed: _____

Date: _____

*This certificate is to be completed when a Representative is nominated by another Representative.



**Eastern Metropolitan Regional Council
Waste Advisory Committee
21 November 2019**

**BALLOT PAPER FOR THE
ELECTION OF THE WASTE ADVISORY COMMITTEE
CHAIRMAN**

HOW TO VOTE

**Place a tick ☒ in the box next to the candidate you want
to elect.**

Do not make any other marks on the ballot paper.

First Name, Last name

☐

First Name, Last name

☐

First Name, Last name

☐



5.2 ELECTION OF A DEPUTY CHAIRMAN OF THE WASTE ADVISORY COMMITTEE (WAC)

REFERENCE: D2019/16505 (WAC) – D2019/17948

PURPOSE OF REPORT

The purpose of this report is to provide for an election to be conducted for the Office of Deputy Chairman of the Waste Advisory Committee (WAC).

KEY POINTS AND RECOMMENDATION(S)

- In accordance with section 5.12(2) of the *Local Government Act 1995*, the members of a committee may elect a deputy presiding member from amongst themselves.

Recommendation(s)

That the members of the Waste Advisory Committee elect a Deputy Chairman.

SOURCE OF REPORT

Director Corporate Services

BACKGROUND

At the Special Meeting of Council held on Monday, 4 November 2019 the EMRC Chairman and Deputy Chairman were elected and members of the EMRC Committees were appointed.

WAC MEMBERS 2019-2021

The following members were appointed to the WAC at the Special Meeting of Council held on Monday, 4 November 2019:

COUNCILLOR MEMBERS

Cr Kathryn Hamilton	Town of Bassendean
Cr Giorgia Johnson	City of Bayswater
Cr Steve Wolff	City of Belmont
Cr Dylan O'Connor	City of Kalamunda
Cr Doug Jeans	Shire of Mundaring
Cr Mel Congerton	City of Swan

OFFICER MEMBERS

Executive Manager Infrastructure	(Mr Phillip Adams)	Town of Bassendean
Director Works and Infrastructure	(Mr Doug Pearson)	City of Bayswater
Director Infrastructure Services	(Mr Murray Ralph)	City of Belmont
Director Asset Services	(Mr Brett Jackson)	City of Kalamunda
Director Infrastructure Services	(Mr Shane Purdy)	Shire of Mundaring
Executive Manager Operations	(Mr Jim Coten)	City of Swan
Chief Executive Officer	(Mr Marcus Geisler)	EMRC



Item 5.2 continued

In accordance with section 5.12(2) of the *Local Government Act 1995* (the Act), the members of a committee may elect a deputy presiding member from amongst themselves.

It is a requirement of Schedule 2.3 of the Act that the election of the Deputy Chairman is conducted by the Chairman and the nominations for the Office are to be given to the Chief Executive Officer (CEO) in writing before the meeting or the Chairman during the meeting before the close of nominations. Furthermore, if a member is nominated by another member, the Chairman is not to accept the nomination unless the nominee has advised the Chairman, orally or in writing, that he or she is willing to be nominated for the Office. Members are to vote on the matter by secret ballot.

The procedure outlined in Schedule 2.3 of the Act will be followed if there is an equality of votes.

REPORT

The following material accompanies the agenda for this meeting as a means of assisting members of the Committee to nominate themselves or another member for the Office of Deputy Chairman of the WAC:

1. A blank nomination form for the Office of Deputy Chairman of the WAC, nominate oneself;
2. A blank nomination form for the Office of Deputy Chairman of the WAC, nominate another; and
3. A blank ballot paper for Election of Deputy Chairman of the WAC.

Ballot papers will be made available prior to voting.

The completed nomination forms are to be given to the CEO before the meeting or when called for by the Chairman when dealing with this item at the meeting.

STRATEGIC/POLICY IMPLICATIONS

Council Policy 2.1 Committees of Council provides for the establishment of the Resource Recovery Committee

Key Result Area 3 – Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil



Item 5.2 continued

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. A blank nomination form for the Office of Deputy Chairman of the WAC, nominate oneself (Ref: D2019/17949)
2. A blank nomination form for the Office of Deputy Chairman of the WAC, nominate another (Ref: D2019/17949)
3. Ballot paper – Election of WAC Deputy Chairman (Ref: D2019/17950)

VOTING REQUIREMENT

Secret Ballot

RECOMMENDATION(S)

That the members of the Waste Advisory Committee elect a Deputy Chairman.

The Chairman called for nominations for the Office of Deputy Chairman of the Waste Advisory Committee.

Cr Congerton nominated himself.

The Chairman called for further nominations. No further nominations were received.

ANNOUNCEMENT: OF THE OFFICE OF DEPUTY CHAIRMAN

There being no other nominations, the Chairman declared Cr Congerton as Deputy Chairman of the Waste Advisory Committee unopposed for the term commencing 21 November 2019 until 2021.

The Chairman congratulated Cr Congerton.



Nomination for Deputy Chairman of the Waste Advisory Committee

To the Chief Executive Officer

I hereby nominate myself, _____ for the position of Deputy Chairman of the Eastern Metropolitan Regional Council Waste Advisory Committee for the term of Office commencing on the date of the election and continuing until the next ordinary elections day and/or other circumstances occur in accordance with section 5.11 of the *Local Government Act 1995*.

Signed: _____

Date: _____



Nomination for Deputy Chairman of the Waste Advisory Committee

To the Chief Executive Officer

I hereby nominate _____ for the position of Deputy Chairman of the Eastern Metropolitan Regional Council Waste Advisory Committee for the term of Office commencing on the date of the election and continuing until the next ordinary elections day and/or other circumstances occur in accordance with section 5.11 of the *Local Government Act 1995*.

Signed: _____

Date: _____

*I _____ hereby certify that I accept the above nomination to the position of Deputy Chairman of the Eastern Metropolitan Regional Council Waste Advisory Committee.

Signed: _____

Date: _____

***This certificate is to be completed when a Representative is nominated by another Representative.**



**Eastern Metropolitan Regional Council
Waste Advisory Committee
21 November 2019**

**BALLOT PAPER FOR THE
ELECTION OF THE WASTE ADVISORY COMMITTEE
DEPUTY CHAIRMAN**

HOW TO VOTE

**Place a tick ☒ in the box next to the candidate you want
to elect.**

Do not make any other marks on the ballot paper.

First Name, Last name

☐

First Name, Last name

☐

First Name, Last name

☐



6 PETITIONS, DEPUTATIONS AND PRESENTATIONS

A confidential presentation was provided by Mr David Cocks, Manager Victoria, Tasmania from MRA Consulting Group on the results of modelling on FOGO costs at Section 15.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2019

That the Minutes of the Waste Advisory Committee meeting held on 5 September 2019 which have been distributed, be confirmed.

WAC RESOLUTION(S)

MOVED CR PURDY

SECONDED CR COTEN

THAT THE MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 5 SEPTEMBER 2019 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

The Chairman advised a change to the Order of Business to deal with Confidential Item 15.1 Presentation – Results of Modelling on Food Organics and Garden Organics (FOGO) Costs and Confidential Item 15.2 Lease of the Baywaste Site at this point of the meeting to make the most efficient time of the presenter, Mr Cocks.

Confidential items 15.1 and 15.2 were dealt with at this point of the meeting prior to Item 8.

8 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil



9 QUESTIONS BY MEMBERS WITHOUT NOTICE

Mr Purdy requested an update on the HZI Financier to which the Director Waste Services provided a brief update and responded to questions from members, including the process to financial close.

Cr Congerton inquired of the circumstances of the disbandment of the Technical Advisory Committee (TAC). The CEO informed Cr Congerton of the Council decision and advised that the member Council Technical Officers and EMRC Executive Leadership Team currently meet once a month informally to discuss technical issues. Cr Congerton asked if the TAC could meet formally as a Committee of Council. The CEO advised that is a possibility, subject to Council approval.

10 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items were covered in Section 15 of this agenda.

- 10.1 PRESENTATION – RESULTS OF MODELLING ON FOOD ORGANICS AND GARDEN ORGANICS (FOGO) COSTS
- 10.2 LEASE OF THE BAYWASTE SITE

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil



12 REPORTS OF EMPLOYEES

12.1 TENDER RFT2019-003 GARDEN MAINTENANCE AND ENVIRONMENTAL SERVICES

REFERENCE: D2019/16051 (WAC) – D2019/17939

PURPOSE OF REPORT

To advise Council of the results of Tender RFT2019-003 for Garden Maintenance and Environmental Services and recommend acceptance of the tender from Environmental Industries Pty Ltd.

KEY POINTS AND RECOMMENDATION(S)

- Garden maintenance and environmental services are required at the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park, for the ongoing maintenance of gardens, assistance with rehabilitation programs and control of weeds.
- A tender for Provision of Garden Maintenance and Environmental Services was advertised on 27 July 2019.
- The tender closed on 14 August 2019 and three (3) complying submissions were received.
- The tender submissions have been assessed and a preferred tenderer selected.

Recommendation(s)

That:

1. Council awards Tender RFT2019-003 for the Provision of Garden Maintenance and Environmental Services to Environmental Industries Pty Ltd for a three (3) year period, with an option to extend for two (2) single year extensions subject to satisfactory performance, as per the tendered schedule of rates.
2. The contract rates for Tender RFT2019-003 be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.
3. Council authorises the CEO to enter into a contract, on behalf of the EMRC, with Environmental Industries Pty Ltd in accordance with the Tender submitted, and the tendered schedule of rates, subject to any minor variations that may be agreed between the CEO and Environmental Industries Pty Ltd.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.

SOURCE OF REPORT

Director Waste Services

BACKGROUND

This tender is for the provision of garden maintenance and environmental services at the Red Hill Waste Management Facility (Red Hill) and Hazelmere Resource Recovery Park (Hazelmere). The Contract includes all labour, plant, materials, supervision and any additional requirements for the ongoing maintenance of gardens and surrounds for Red Hill and Hazelmere.

The previous tender for gardening and rehabilitation services at Red Hill and Hazelmere was held by Spuds Gardening Services for a period of five (5) years consisting of a three (3) year period with two (2) single year extensions.



Item 12.1 continued

REPORT

Garden Maintenance and Environmental Services Tender RFT2019-003 was publicly advertised on 27 July 2019 and remained open until 14 August 2019. The tender was established for a three (3) year period, with an option to extend for two (2) single year extensions to be exercised at the sole discretion of the EMRC, exercisable by the CEO subject to satisfactory performance. Tender specification requirements included:

- Maintain gardens/landscapes at Red Hill and Hazelmere;
- Assist in the annual land rehabilitation program at Red Hill;
- Maintain previously revegetated areas as required at Red Hill;
- Monitor and control weed species present at Hazelmere and Red Hill; and
- Assist with weed inspections at Red Hill.

Qualitative assessment criteria included:

Criterion	Weighting
Relevant experience completing similar gardening services	25%
Technical compliance with Scope of Supply	25%
Safety Management Plan and previous safety record	15%

In the quantitative assessment, price criterion was weighted at 35%.

Three (3) complying tender submissions were received from the following companies:

- Environmental Industries Pty Ltd.
- Horizon West Landscape and Irrigation Pty Ltd.
- Skyline Landscape Services Group Pty Ltd.

The evaluation process was completed independently by five (5) EMRC officers. A meeting was held on the 28 August 2019 between evaluation panel members to discuss and compile findings for each tender submission.

Environmental Industries Pty Ltd (EIPL) had the highest evaluation score, having demonstrated the required gardening maintenance and environmental experience to a high standard. EIPL is considered the best value for money tenderer and had positive references. EIPL is, therefore, recommended as the preferred tenderer at the pricing schedule supplied.

As the WAC Agendas excluding confidential reports are made available to the public via the EMRC website in keeping with open and transparent governance, EMRC officers have noted incidents of unsuccessful tenderers making contact with EMRC officers prior to the WAC meetings and Council meetings. To facilitate agenda report items for tenders to continue to be made publicly available, it is proposed that the identity of the recommended tenderer be redacted until such time that the contract with the successful tenderer is executed.



Item 12.1 continued

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.5 To contribute towards improved regional air, water and land quality and regional biodiversity conservation and address climate change

FINANCIAL IMPLICATIONS

Based on past works the financial cost of the tender is estimated to be in the order of \$200,000 per year which is included in the approved budgets for Red Hill and Hazelmere.

SUSTAINABILITY IMPLICATIONS

The EMRC will be able to maintain compliance with ministerial conditions and proponent commitments pertaining to the progressive rehabilitation of landfill cells in accordance with Ministerial Statement 274 and 476.

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	 Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Simple Majority



Item 12.1 continued

RECOMMENDATION(S)

That:

1. Council award Tender RFT2019-003 for the Provision of Garden Maintenance and Environmental Services to Environmental Industries Pty Ltd for a three (3) year period, with an option to extend for two (2) single year extensions subject to satisfactory performance, as per the tendered schedule of rates.
2. The contract rates for Tender RFT2019-003 be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.
3. Council authorise the CEO to enter into a contract, on behalf of the EMRC, with Environmental Industries Pty Ltd in accordance with the Tender submitted, and the tendered schedule of rates, subject to any minor variations that may be agreed between the CEO and Environmental Industries Pty Ltd.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.

WAC RECOMMENDATION(S)

MOVED MR COTEN

SECONDED MR JACKSON

That:

1. Council award Tender RFT2019-003 for the Provision of Garden Maintenance and Environmental Services to Environmental Industries Pty Ltd for a three (3) year period, with an option to extend for two (2) single year extensions subject to satisfactory performance, as per the tendered schedule of rates.
2. The contract rates for Tender RFT2019-003 be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.
3. Council authorise the CEO to enter into a contract, on behalf of the EMRC, with Environmental Industries Pty Ltd in accordance with the Tender submitted, and the tendered schedule of rates, subject to any minor variations that may be agreed between the CEO and Environmental Industries Pty Ltd.
4. The Identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION(S)

MOVED

SECONDED



12.2 TENDER RFT2019-006 MOBILE AERATED FLOOR SYSTEM

REFERENCE: D2019/16050 (WAC) – D2019/17938

PURPOSE OF REPORT

The purpose of this report is to advise Council of the results of Tender RFT2019-006 to procure a Mobile Aerated Floor System and recommend acceptance of the tender from Spartel Pty Ltd.

KEY POINTS AND RECOMMENDATION(S)

- A re-tender for the design, supply, install and maintain of a Mobile Aerated Floor System (MAFS) was issued on 26 October 2019.
- Tenders closed on 13 November 2019 with two (2) submissions being received.
- The tender called for the design, supply, installation and maintenance of a MAFS required to process up to 10,000 tonnes per annum of Food Organics and Garden Organics (FOGO) waste in conjunction with the trial of FOGO processing.
- The MAFS will be located on the green waste processing pad at the Red Hill Waste Management Facility.
- A licence amendment for the Red Hill Waste Management Facility is being progressed with the Department of Water and Environment Regulation (DWER) for the FOGO trial.

Recommendation(s)

That:

1. Council awards Spartel Pty Ltd as the preferred tenderer for Tender RFT2019-006 - Design, Supply, Install and Maintain a Mobile Aerated Floor System.
2. The CEO be authorised on behalf of the EMRC to enter into negotiations with the preferred tenderer and to enter into a contract with preferred tenderer in accordance with their submitted Tender, subject to any minor variations that may be agreed on between the CEO and the preferred tenderer.
3. Council authorise a 10% contingency based on the tendered price for any contract variations that may arise for Tender RFT2019 006.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.

SOURCE OF REPORT

Director Waste Services



Item 12.2 continued

BACKGROUND

At the 21 March 2019 meeting of Council it was resolved (D2019/04263):

“THAT:

- 1. THE EMRC BEGIN THE PROCESS OF DEVELOPING A LONG-TERM FOOD ORGANIC & GARDEN ORGANIC (FOGO) STRATEGY INCLUDING, IF REQUIRED, SEEKING EXPRESSIONS OF INTEREST FOR THE APPROPRIATE TECHNOLOGY TO IMPLEMENT LONG-TERM FOGO PROCESSING SOLUTIONS TO CATER FOR ALL MEMBER COUNCIL WASTE STREAMS.*
- 2. IN THE INTERIM, THE EMRC PROCEEDS WITH THE PROCUREMENT PROCESS AND LICENCE APPROVAL FOR THE ADDITION OF A TRIAL MOBILE AERATOR FLOOR (MAF) COMPOSTING SYSTEM FOR THE PROCESSING OF UP TO 10,000 TPA OF FOGO WASTE AT THE RED HILL WASTE MANAGEMENT FACILITY.*
- 3. APPROVES THE EXPENDITURE OF UP TO \$400,000 EX GST FOR THE PURCHASE AND INSTALLATION OF A SUITABLE MAF SYSTEM, INCLUDING HARDSTAND INSTALLATION AND THAT THE FUNDS BE ALLOCATED FROM THE SECONDARY WASTE RESERVE.*
- 4. NOTES THAT INTERIM ARRANGEMENTS ARE AVAILABLE WITH SEVERAL THIRD PARTY PROCESSORS OF FOGO WASTE IF THE INSTALLATION OF A PROCESSING FACILITY OR THE LICENCE APPROVAL IS DELAYED FOR WHATEVER REASON BEYOND PLANNED START DATES FOR FOGO COLLECTIONS BY MEMBER COUNCILS.*
- 5. ADVISE THE TOWN OF BASSENDEAN AND THE CITY OF BAYSWATER OF THE COUNCIL RESOLUTION AND AUTHORISE THE CEO TO ENTER INTO NEGOTIATIONS WITH THESE MEMBER COUNCILS FOR A SUITABLE PROCESSING ARRANGEMENT.*
- 6. SEEK FUNDING SUPPORT FROM THE WASTE AUTHORITY FOR THE FOGO TRIAL AT THE RED HILL WASTE MANAGEMENT FACILITY.*
- 7. THAT THE EMRC EXPLORE ALL MARKETING OPPORTUNITIES FOR THE COMPOST PRODUCT DURING THE FOGO TRIAL PERIOD.”*

It is intended to award a contract for the design, supply, installation and maintain of a Mobile Aerated Floor System (MAFS) with the maintenance services and spare parts to cover a three (3) year period with an option of two, one (1) year extensions at the discretion of the EMRC.

REPORT

The re-tender (Tender RFT2019-006) for the design, supply, install and maintain of a Mobile Aerated Floor System (MAFS) was issued on 23 October 2019.

Tenders closed on 13 November 2019 and submissions were received from:

- a) Spartel Pty Ltd; and
- b) WA Composts Pty Ltd as trustee for the Bios Unit Trust t/a C-Wise.

A detailed bill of quantities was submitted by each tenderer under five (5) main tasks:

- Design and supply of MAFS;
- Installation of MAFS on site;
- Commissioning;
- Maintenance services; and
- Recommended spare parts list.



Item 12.2 continued

The contract term is two (2) years for the maintenance of the MAFS.

An evaluation panel of EMRC officers assessed the submissions on the following criteria:

Description of Qualitative Criteria		Weighting
(a)	Previous experience in the design, supply, install and maintenance of mobile aerated floor system	20%
(b)	Technical compliance with the Specification and technology offered to meet Principal's requirements for the mobile aerated floor system	20%
(c)	Methodology in project execution and demonstrated understanding of Principal's requirements.	20%
(d)	Local content – WA based manufactured	5%
(e)	Safety Management Performance and Process	5%
(f)	Environmental Management System and Process	5%
(g)	Tendered prices	25%

After combining the weighted scores for the qualitative criteria, the tender submitted by Spartel Pty Ltd represents the most advantageous tender for the EMRC to accept.

The implementation period for the supply, installation and commissioning of the MAFS is estimated to be up to six (6) months which will be in time for the commencement of a FOGO bin at the Town of Bassendean and the City of Bayswater.

A contingency allowance of 10% of the contract sum is recommended to allow for any unforeseen circumstances that may arise during the contract works.

As the WAC Agendas excluding confidential reports are made available to the public via the EMRC website in keeping with open and transparent governance, EMRC officers have noted incidents of unsuccessful tenderers making contact with EMRC officers prior to the WAC meetings and Council meetings. To facilitate agenda report items for tenders to continue to be made publicly available, it is proposed that the identity of the recommended tenderer be redacted until such time that the contract with the successful tenderer is executed.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations
- 1.2 To improve regional waste management

Food Organics & Garden Organics (FOGO) Recovery Strategy



Item 12.2 continued

FINANCIAL IMPLICATIONS

An amount of \$600,000 was provided for in the adopted 2019/2020 Annual Budget which covers the cost of this tender.

SUSTAINABILITY IMPLICATIONS

The FOGO trial is part of the long-term strategy of the EMRC to be ready for the implementation of FOGO collections from the member Councils over the next few years.

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} The Town of Bassendean and the City of Bayswater are participating in the FOGO Trial
City of Bayswater	
City of Belmont	} The learnings and outcomes of the FOGO Trial will benefit all member Councils for the development of future permanent FOGO facility and the implementation of FOGO across the Region.
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That:

1. Council awards Spartel Pty Ltd as the preferred tenderer for Tender RFT2019-006 – Design, Supply, Install and Maintain a Mobile Aerated Floor System.
2. The CEO be authorised on behalf of the EMRC to enter into negotiations with the preferred tenderer and to enter into a contract with preferred tenderer in accordance with their submitted Tender, subject to any minor variations that may be agreed on between the CEO and the preferred tenderer.
3. Council authorise a 10% contingency based on the tendered price for any contract variations that may arise for Tender RFT2019-006.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.



Item 12.2 continued

Mr Coten moved to amend the Officers Recommendation to add to dot point 1 and add another dot point 5 as follows:

1. Council awards Spartel Pty Ltd as the preferred tenderer for Tender RFT2019-006 – Design, Supply, Install and Maintain a Mobile Aerated Floor System in accordance with the pricing schedule outlined in the recommendation report.
5. The EMRC obtain security to cover any upfront payment required.

Cr Congerton seconded the amended recommendation.

Reason for Alternative Recommendation

The reason for the amendment is to ensure the value of the contract is specified and the EMRC is not exposed to any financial risk with this contract.

Alternative Recommendation(s)

That:

1. Council awards Spartel Pty Ltd as the preferred tenderer for Tender RFT2019-006 – Design, Supply, Install and Maintain a Mobile Aerated Floor System in accordance with the pricing schedule outlined in the recommendation report.
2. The CEO be authorised on behalf of the EMRC to enter into negotiations with the preferred tenderer and to enter into a contract with preferred tenderer in accordance with their submitted Tender, subject to any minor variations that may be agreed on between the CEO and the preferred tenderer.
3. Council authorise a 10% contingency based on the tendered price for any contract variations that may arise for Tender RFT2019-006.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.
5. The EMRC obtain security to cover any upfront payment required.

WAC RECOMMENDATION(S)

MOVED MR COTEN

SECONDED CR CONGERTON

That:

1. Council selects Spartel Pty Ltd as the preferred tenderer for Tender RFT2019-006 – Design, Supply, Install and Maintain a Mobile Aerated Floor System in accordance with the pricing schedule outlined in the recommendation report.
2. The CEO be authorised on behalf of the EMRC to enter into negotiations with the preferred tenderer and to enter into a contract with preferred tenderer in accordance with their submitted Tender, subject to any minor variations that may be agreed on between the CEO and the preferred tenderer.
3. Council authorise a 10% contingency based on the tendered price for any contract variations that may arise for Tender RFT2019-006.
4. The identity of the successful tenderer be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.
5. The EMRC obtain security to cover any upfront payment required.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



12.3 EXEMPTION FROM TENDER REGULATIONS FOR A SUPPLIER

REFERENCE: D2019/16435 (WAC) – D2019/17941

PURPOSE OF REPORT

The purpose of this report is to seek Council approval for exemption from the tender regulations for one of the EMRC's suppliers, RemBind Pty Ltd.

KEY POINTS AND RECOMMENDATION(S)

- The EMRC purchase a product supplied by RemBind Pty Ltd for use in the treatment of contaminated soil waste.
- On current projections, the amount procured is likely to exceed the tender limit of \$150,000 (ex GST) by 31 December 2019.
- The *Local Government (Functions and General) Regulations 1996* however, state that where a local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier, then tenders do not need to be invited.
- The product supplied by RemBind Pty Ltd is unique and there are no other suppliers of a similar product in Australia.
- It is recommended that in accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

Recommendation(s)

That:

1. Council acknowledges that because of the unique nature of the product supplied by RemBind Pty Ltd, it has good reason to believe there is unlikely to be any other supplier who can provide a similar product to complete remediation works required.
2. In accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

SOURCE OF REPORT

Director Waste Services

BACKGROUND

The EMRC's Red Hill Waste Management Facility (Red Hill) is licensed to accept Class III and class IV contaminated waste and we have developed a method for treating contaminated waste with a product supplied by RemBind Pty Ltd (RMB) in South Australia to reduce the leachability of contaminants. This know-how is being used to treat and accept such wastes at Red Hill on behalf of clients which provides consulting income as well as disposal revenue from gate fees.

REPORT

The EMRC purchase a product supplied by RemBind Pty Ltd for use in the treatment of contaminated waste which is subsequently disposed of at Red Hill in accordance with the sites Department of Water and Environment Regulation (DWER) licence. This is done as a service to clients on a contract basis and has been used at Stirling Naval Base and Pearce Airport.



Item 12.3 continued

On current projections, the amount of RMB product procured will exceed the tender limit of \$150,000 (ex GST) by 31 December 2019, necessitating a tender in accordance with r.11(1) of the *Local Government (Functions and General) Regulations 1996*.

However, in accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* where the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier, then tenders do not need to be publicly invited.

The product supplied by RemBind Pty Ltd is unique and there are no other suppliers of a similar product in Australia. The RemBind product is 50% owned by RemBind Pty Ltd and 50% owned by the CSIRO. Rembind Pty Ltd holds an exclusive, worldwide licence from CSIRO to commercialise the product until 2031. In Australia, RemBind Pty Ltd is the only supplier of the product. RemBind Pty Ltd has established several exclusive distributors overseas.

There is no other equivalent product currently available with the same level of proven performance as RemBind in reducing contaminant leachability in soils.

Therefore, it is recommended that in accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations
- 1.4 To investigate leading edge waste management practices

FINANCIAL IMPLICATIONS

Funds are provided in the adopted annual budget for 2019/2020 for material expenses to support environmental consulting services. Expenditure on products from RemBind is likely to exceed \$150,000 this financial year.

SUSTAINABILITY IMPLICATIONS

The proper treatment of contaminated waste to meet site licence conditions ensures environmental compliance and assurance for EMRC clients.

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	



Item 12.3 continued

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That:

1. Council acknowledges that because of the unique nature of the product supplied by RemBind Pty Ltd, it has good reason to believe there is unlikely to be any other supplier who can provide a similar product to complete remediation works required.
2. In accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

WAC RECOMMENDATION(S)

MOVED MR RALPH

SECONDED CR HAMILTON

That:

1. Council acknowledges that because of the unique nature of the product supplied by RemBind Pty Ltd, it has good reason to believe there is unlikely to be any other supplier who can provide a similar product to complete remediation works required.
2. In accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



12.4 PURCHASE OF EXCAVATORS, RED HILL WASTE MANAGEMENT FACILITY

REFERENCE: D2019/16436 (WAC) – D2019/17940

PURPOSE OF REPORT

The purpose of this report is to recommend acceptance of the quotations for the supply and delivery of two (2) excavators for use at the Red Hill Waste Management Facility. The recommended quotation for the 14 tonne excavator and the 38 tonne excavator was submitted by BT Equipment Pty Ltd T/A Tutt Bryant.

KEY POINTS AND RECOMMENDATION(S)

- One (1) of the EMRC's excavators (30.4 tonne, P2403) located at the Red Hill Waste Management Facility has reached its replacement point based on operating hours and operability.
- A second smaller, 14 tonne excavator is required for works on site and is included in the adopted capital budget for 2019/2020.
- Quotations were sought for a 14 tonne excavator with dozer blade and rock breaker and also a 34.5 – 38 tonne long frame heavy duty excavator using the WALGA e-quote system for replacement plant, including a maintenance service agreement.
- Twelve (12) quotations were received for 34.5 – 38 tonne excavator and thirteen (13) quotations were received for the 14 tonne excavator.

Recommendation(s)

That Council accept:

1. The quotations for the supply and delivery to the Red Hill Waste Management Facility of one (1) 14 tonne Sumitomo SH145X-6 Excavator including an extended three (3) year/6,000 hour extended warranty and one (1) 36.6 – 37.5 tonne Sumitomo SH370LHD-6 Excavator including an extended three (3) year/6,000 hour extended warranty, submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment, for the sum of \$227,000 (ex GST) and \$355,500 (ex GST) respectively.
2. The offer to undertake a fixed price preventative maintenance agreement for the Sumitomo SH145X-6 Excavator to be located at the Red Hill Waste Management Facility for a three (3) year/6,000 hour period submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment at a cost of \$3.55/operating hour (ex GST) subject to annual CPI adjustments.
3. The offer to undertake a fixed price preventative maintenance agreement for the Sumitomo SH370LHD-6 Excavator to be located at the Red Hill Waste Management Facility for a three (3) year/6,000 hour period submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment at a cost of \$5.53/operating hour (ex GST) subject to annual CPI adjustments.

SOURCE OF REPORT

Director Waste Services

BACKGROUND

Under the EMRC's plant replacement programme, an Excavator (P2403) utilised at the Red Hill Waste Management Facility is due for replacement having reached 8,000 hours of service and its limit of warranty and reliability. Also the EMRC require a 14 tonne Excavator to be utilised for small works on site including:

- Rock breaking – caprock and production of rock spalls for sale;
- Material Handling – separation and loading of materials with included grab, such as timber and metals commercial loads;
- Civil repair work around site, including capping and stormwater infrastructure;
- Lifting of pumps and pipes around site; and
- Lifting of gensets on to utes or trucks for relocation.



Item 12.4 continued

REPORT

A quotation for the replacement of an excavator and for a 14 tonne excavator was sought using the WALGA e-quote system in October 2019. There were twelve (12) responses for the 34.5 – 38 tonne machine and thirteen (13) responses for the 14 tonne machine to this Request for Quotation which has been evaluated by Waste Services staff against the selection criteria detailed in the specification.

Quotations were received from:

Tenderer	34.5 – 38 Tonne Machine
JCB Construction	JCB JS300LC
JCB Construction	JCB JS330LC
McIntosh and Son	Case CX350C
Tutt Bryant Equipment	Sumitomo SH370LHD-6
LiftRite Sales & Hire	Kobelco SK350LC-10 Tier3
CJD Equipment	Volvo EC350DL
Komatsu Australia Pty Ltd	Komatsu PC360LC-11
Hitachi Construction Equipment	Hitachi ZX360LCH-5
CJD Equipment	Volvo EC380DL
Westrac Pty Ltd	Caterpillar 336 GC
Clark Equipment	Doosan DX360 LC
Porter Equipment	Hyundai R380LC-9

Tenderer	14 Tonne Machine
Tutt Bryant Equipment	Sumitomo SH145X-6
JCB Construction	JCB JZ140
JCB Construction	JCB JS130DLC
LiftRite Sales & Hire	Kobelco SK135SR-5
Komatsu Australia Pty Ltd	Komatsu PC130-8
McIntosh and Son	Case CX145C
Porter Equipment	Hyundai R140LCD-9
Hitachi Construction Equipment	Hitachi ZX135US-5
CJD Equipment	Volvo ECR145CL
Digrite-Takeuchi	Takeuchi TB2150R
Clark Equipment	Doosan DX140 LC
Westrac Pty Ltd	Caterpillar 315 L
Digrite	Mecalac 15MC

Selection Criteria and Rating Scale

The submission was evaluated based on the criteria requested via the WALGA e-quote.

Qualitative criteria

The submission was scored against the qualitative criteria below.

Description of Qualitative criteria	Weighting
a) Specifications	40%
b) Quoted Price	30%
c) Extended Warranty	20%
d) Parts and consumables	5%
e) Delivery	5%



Item 12.4 continued

The compliance check in the evaluation process determined that all submissions were compliant.

34.5 – 38 Tonne Excavator

The evaluation process determined that the submission from BT Equipment Pty Ltd t/a Tutt Bryant Equipment for the Sumitomo SH370LHD-6 Excavator included all the items in the specification, including an extended warranty for three (3) years/6,000 hours, a service agreement quote for three (3) years/6,000 hours at \$5.53/hour totalling \$33,180 (ex GST) and which meets the EMRC's requirements.

The quotation from BT Equipment Pty Ltd t/a Tutt Bryant Equipment is recommended for acceptance as the preferred supplier.

14 Tonne Excavator

The evaluation process determined the submission from BT Equipment Pty Ltd t/a Tutt Bryant Equipment for the Sumitomo SH145X-6 Excavator included all the items in the specification, including an extended warranty for three (3) years/6,000 hours, preventative maintenance agreement quote for three (3) years/6,000 hours at \$3.55/hour totalling \$21,273 (ex GST) and which meets the EMRC's requirements.

The quotation from BT Equipment Pty Ltd t/a Tutt Bryant Equipment is recommended for acceptance as the preferred supplier.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations

FINANCIAL IMPLICATIONS

The adopted 2019/2020 Annual Budget provides for proposed capital expenditure for plant replacement.

SUSTAINABILITY IMPLICATIONS

Nil

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	 Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Nil



Item 12.4 continued

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council accept:

1. The quotations for the supply and delivery to the Red Hill Waste Management Facility of one (1) 14 tonne Sumitomo SH145X-6 Excavator including an extended three (3) year/6,000 hour extended warranty and one (1) 36.6 – 37.5 tonne Sumitomo SH370LHD-6 Excavator including an extended three (3) year/6,000 hour extended warranty, submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment, for the sum of \$227,000 (ex GST) and \$355,500 (ex GST) respectively.
2. The offer to undertake a fixed price preventative maintenance agreement for the Sumitomo SH145X-6 Excavator to be located at the Red Hill Waste Management Facility for a three (3) year/6,000 hour period submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment at a cost of \$3.55/operating hour (ex GST) subject to annual CPI adjustments.
3. The offer to undertake a fixed price preventative maintenance agreement for the Sumitomo SH370LHD-6 Excavator to be located at the Red Hill Waste Management Facility for a three (3) year/6,000 hour period submitted by BT Equipment Pty Ltd t/a Tutt Bryant Equipment at a cost of \$5.53/operating hour (ex GST) subject to annual CPI adjustments.

Cr Congerton moved the recommendation in the officer's report. The Chairman asked for a seconder. With no seconder, the motion lapsed for a want of a seconder.

Mr Jackson moved a procedural motion to defer this report to Council to provide EMRC officers the opportunity to finalise and distribute the corrected confidential supporting recommendation report.

The motion was seconded by Cr O'Connor.

Discussion ensued

The Director Waste Services and the Manager Engineering and Operations provided a brief overview on the late adjustments to the confidential supporting recommendation report. Due to the lateness of these changes it became impractical to make available to members prior to the meeting. It was recommended to withdraw the item and defer to the Ordinary Council meeting 5 December 2019.

WAC RECOMMENDATION(S)

MOVED MR JACKSON

SECONDED CR O'CONNOR

That the item be deferred to the Ordinal Council meeting 5 December 2019.

CARRIED 11/1

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



12.5 ITEMS CONTAINED IN THE INFORMATION BULLETIN

REFERENCE: Ref: D2019/16053 (WAC) – D2019/16417

The following items are included in the Information Bulletin, which accompanies the Agenda.

1. WASTE SERVICES

1.1 COUNCIL TONNAGE COMPARISONS AS AT 31 OCTOBER 2019 (Ref: D2019/16606)

RECOMMENDATION

That the Waste Advisory Committee notes the item contained in the Information Bulletin accompanying the 21 November 2019 Waste Advisory Committee Agenda.

WAC RESOLUTION(S)

MOVED MR COTEN

SECONDED MR PURDY

THAT THE WASTE ADVISORY COMMITTEE NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 21 NOVEMBER 2019 WASTE ADVISORY COMMITTEE AGENDA.

CARRIED UNANIMOUSLY



13 REPORTS OF DELEGATES

Nil

14 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING

Nil

Section 15 was dealt with prior to Item 8.

15 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing meeting to the public)

That the meeting be closed to members of the public in accordance with Section 5.23 (2)(c) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

WAC RESOLUTION

MOVED CR CONGERTON

SECONDED CR JEANS

THAT WITH THE EXCEPTION OF THE CEO, DIRECTOR WASTE SERVICES, DIRECTOR CORPORATE SERVICES, DIRECTOR REGIONAL SERVICES, MANAGER RESOURCE RECOVERY, MANAGER ENGINEERING AND OPERATIONS, MANAGER FINANCIAL SERVICES, MANAGER PROCUREMENT AND GOVERNANCE, EMRC DEPUTY COUNCILLOR MEMBERS, MR COCKS AND ADMINISTRATION OFFICER WASTE SERVICES THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The doors of the meeting were closed at 5:07pm

15.1 PRESENTATION - RESULTS OF MODELLING ON FOOD ORGANICS AND GARDEN ORGANICS (FOGO) COSTS

A confidential presentation was provided by Mr Cocks, Manager Victoria, Tasmania from MRA Consulting Group on the results of modelling on FOGO costs.

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

Cr Wilson (Deputy member) departed the meeting at 5:36pm.

Mr Cocks departed the meeting at 5:51pm.



15.2 LEASE OF THE BAYWASTE SITE

REFERENCE: D2019/16049

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

The Committee considered the Confidential Item circulated with the Agenda under Separate Cover.

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

WAC RESOLUTION

MOVED CR JEANS

SECONDED CR JOHNSON

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The doors of the meeting were reopened at 6:02pm.

Recording of the recommendations passed behind closed doors, namely:

15.2 LEASE OF THE BAYWASTE SITE

REFERENCE: D2019/16049

WAC RECOMMENDATION(S)

MOVED CR CONGERTON

SECONDED CR HAMILTON

That:

1. Council authorise the CEO to enter into negotiations with the City of Bayswater regarding the lease of the Baywaste Transfer Station located at 271 Collier Road, Morley and report back to Council.
2. The report remains confidential and be certified by the Chairman and CEO.

CARRIED UNANIMOUSLY



16 FUTURE MEETINGS OF THE WASTE ADVISORY COMMITTEE

The next meeting of the Waste Advisory Committee will be held on **Thursday, 6 February 2020 (if required)** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 5:00pm.

Future Meetings 2020

Thursday	6 February	(if required)	at	EMRC Administration Office
Thursday	5 March	(if required)	at	EMRC Administration Office
Thursday	2 April	(if required)	at	EMRC Administration Office
Thursday	7 May	(if required)	at	EMRC Administration Office
Thursday	4 June	(if required)	at	EMRC Administration Office
Thursday	9 July	(if required)	at	EMRC Administration Office
Thursday	6 August	(if required)	at	EMRC Administration Office
Thursday	3 September	(if required)	at	EMRC Administration Office
Thursday	8 October	(if required)	at	EMRC Administration Office
Thursday	19 November	(if required)	at	EMRC Administration Office

17 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:44pm.