



MINUTES OF SPECIAL MEETING OF COUNCIL (COMMISSIONER)

For Council to consider:

South West Regional Waste Management Services Procurement

Held on Tuesday 2 May 2023

Commenced at 11:30 am

Shire of Donnybrook Balingup Council Chamber, Donnybrook

**Ben Rose
Chief Executive Officer**

4 May 2023

TABLE OF CONTENTS

| | | |
|-----|---|---|
| 1 | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS | 3 |
| 2 | ATTENDANCE | 3 |
| 2.1 | <i>APOLOGIES</i> | 3 |
| 2.2 | <i>APPROVED LEAVE OF ABSENCE</i> | 4 |
| 2.3 | <i>APPLICATION FOR A LEAVE OF ABSENCE</i> | 4 |
| 3 | ANNOUNCEMENTS FROM PRESIDING MEMBER | 4 |
| 4 | DECLARATION OF INTEREST | 4 |
| 5 | PUBLIC QUESTION TIME | 4 |
| 6 | REPORTS OF OFFICERS | 4 |
| 6.1 | <i>DIRECTOR OPERATIONS</i> | 4 |
| 6.2 | <i>DIRECTOR CORPORATE AND COMMUNITY</i> | 4 |
| 6.3 | <i>CHIEF EXECUTIVE OFFICER</i> | 4 |
| 7 | MEETINGS CLOSED TO THE PUBLIC | 4 |
| 7.1 | MATTERS FOR WHICH THE MEETING MAY BE CLOSED | 4 |
| 7.2 | PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC | 7 |
| 8 | CLOSURE | 7 |

SHIRE OF DONNYBROOK BALINGUP
MINUTES OF SPECIAL COUNCIL (COMMISSIONER) MEETING

Held at the Council Chambers
Tuesday, 2 May 2023 at 11.30am

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Commissioner – Acknowledgment of Country

The Commissioner acknowledged the traditional custodians of the land, the Wardandi People of the Noongar Nation, paying respects to Elders, past, present, and emerging.

The Commissioner declared the meeting open at 11:31am and welcomed the public gallery.

The Commissioner advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The Commissioner to further state the following:

“This meeting is being livestreamed and digitally recorded in accordance with Council Policy.”

“Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson.”

“Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording.”

2 ATTENDANCE

MEMBERS PRESENT

| MEMBERS | STAFF |
|-----------------------------|--|
| Gail McGowan - Commissioner | Ben Rose – Chief Executive Officer |
| | Kim Dolzadelli – Director Corporate and Community |
| | Kira Strange – Acting Director Operations |
| | Loren Clifford – Acting Manager Executive Services |

PUBLIC GALLERY

Nil.

2.1 APOLOGIES

Nil.

2.2 APPROVED LEAVE OF ABSENCE

Nil.

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil.

4 DECLARATIONS OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by the commissioner to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

5 PUBLIC QUESTION TIME

In accordance with the Clause 7(3) of the Local Government (Administration) Regulations, public questions must relate to the stated purpose of the Special Meeting of Council.

Nil.

6 REPORTS OF OFFICERS

6.1 DIRECTOR OPERATIONS

Nil.

6.2 DIRECTOR CORPORATE AND COMMUNITY

Nil.

6.3 CHIEF EXECUTIVE OFFICER

Nil.

7 MEETINGS CLOSED TO THE PUBLIC

7.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

7.1.1 SOUTH WEST REGIONAL WASTE MANAGEMENT SERVICES PROCUREMENT

This report is confidential in accordance with Section 5.23 (2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

(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.

When the information in the report is not sensitive, the resolution will be included in the next occurring council agenda.

RECOMMENDATION

That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential item:

7.1.1 SOUTH WEST REGIONAL WASTE MANAGEMENT SERVICES PROCUREMENT

COUNCIL RESOLUTION 48/23

Moved: Commissioner McGowan

That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential item:

7.1.1 SOUTH WEST REGIONAL WASTE MANAGEMENT SERVICES PROCUREMENT

CARRIED: COMMISSIONER MCGOWAN

The meeting was closed to the public at 11:34 am.

COUNCIL RESOLUTION 50/23

Moved: Commissioner McGowan

That the meeting be re-opened to the public.

CARRIED: COMMISSIONER MCGOWAN

The meeting was opened to the public at 11:36 am

Commissioner McGowan read the following:

In 2013, the Bunbury Wellington Group of Councils (BWGC, now titled the Bunbury Geographe Group of Councils) which included the Shire of Donnybrook Balingup, shared resources for the procurement of suitable waste management services specific to the needs of each participating local government. The awarded contracts of the time are now due to expire on 30 June 2023 and new services need to be appointed.

In the last decade, there have been significant changes to the waste sector that have resulted in many improvements to the general practices of waste management in an effort to provide more sustainable options and processes, and shift towards a more genuinely 'circular' waste economy. However, there have also been a number of market changes that have resulted in increased costs to the provision of waste management services, particularly in the recyclable processing space.

In anticipation of the upcoming expiration of the relevant waste management contracts and the inevitable variations to the current rates, a number of south west local governments formed the South West Regional Waste Group, and agreed to work collaboratively to jointly procure waste services for the region. The participating local governments include:

- City of Bunbury;
- Shire of Harvey;
- Shire of Collie;
- Shire of Capel;
- Shire of Donnybrook Balingup;
- Shire of Bridgetown Greenbushes; and
- Shire of Nannup.

For the past 12 months, whilst each local government within the SWRWG has been committed to prioritising their district's individual waste service needs and resources, the intent of the collaborative tender process was to obtain the best value for service through the weight of a combined, and agreed, regional approach. The SWRWG is a great example of how local governments can work together to provide high quality, value-for-money services for the community.

In January 2023, the City of Bunbury, on behalf of the South West Regional Waste Group, issued a Tender (Tender COB/5427) with a view to engage a suitably qualified and experienced contractor to undertake a range of waste management services within each of the participating local governments. Three contractors made submissions and a total of 11 different price models were assessed.

The final price model and associated costs for waste management services for the local governments in the South West Regional Waste Group will be completely dependent upon the outcome of each individual Council decision; which are currently being considered, based on the respective meeting dates of each participating local government.

Therefore, the resolution from today's meeting should remain confidential until such time that all Council's in the Group have resolved a decision on the appointment of a contractor for their respective waste management services, and a contract is awarded. This is to ensure the process is not compromised by the release of potentially commercially

sensitive information and allows for the South West Regional Waste Group to continue to work towards the best outcomes for their respective communities.

I'd like to thank all the staff involved and the City of Bunbury for facilitating the tender process.

7.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil.

8 CLOSURES

The Commissioner advised that the next Ordinary Council Meeting will be held on Wednesday 24 May 2023 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Commissioner declared the meeting closed at 11:42 am.

These Minutes were confirmed by the Council (the Commissioner) as a true and accurate record at the Special Council Meeting held 2 May 2023.



Gail McGowan

COMMISSIONER – SHIRE OF DONNYBROOK BALINGUP