



SECTION 15

Confirmed Minutes of Committees

For the Ordinary Meeting of Council

17 September 2020

Item 15.2 – WAC Minutes 3 September 2020

WASTE ADVISORY COMMITTEE

MINUTES

3 September 2020

(REF: D2020/13852 – (WAC) – D2020/19920)

A meeting of the Waste Advisory Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, ASCOT WA 6104 on **Thursday, 3 September 2020**. The meeting commenced at **5:00pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman 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 Steve Wolff (Chairman) | EMRC Member | City of Belmont |
| Cr Mel Congerton (Deputy Chairman) | EMRC Member | City of Swan |
| Cr Kathryn Hamilton | EMRC Member | Town of Bassendean |
| Cr Giorgia Johnson (arrived 5:50pm) | EMRC Member | City of Bayswater |
| Cr Dylan O'Connor | EMRC Member | City of Kalamunda |
| Cr Doug Jeans | EMRC Member | Shire of Mundaring |
| Mr Brice Campbell (Deputising for Mr Maher) | Recycling & Waste Coordinator | Town of Bassendean |
| Mr Doug Pearson | Director Works and Infrastructure | City of Bayswater |
| Ms Melanie Reid | Director Infrastructure Services | City of Belmont |
| Mr Brett Jackson | 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 Jeremy Maher | Executive Manager Sustainability and Environment | Town of Bassendean |
|-----------------|--|--------------------|

EMRC Officers

| | |
|------------------------|------------------------------|
| Mr Stephen Fitzpatrick | Chief Project Officer |
| Mr Brad Lacey | Chief Operating Officer |
| Mrs Wendy Harris | Chief Sustainability Officer |
| Mr Stephen Conway | Manager Engineering |
| Ms Annette Rakich | PA to COO & CPO (Minutes) |

EMRC Apologies

| | |
|-----------------|-------------------------|
| Mr Hua Jer Liew | Chief Financial Officer |
|-----------------|-------------------------|

EMRC Observers

| | |
|------------------|---|
| Mrs Lee Loughnan | PA to Chief Financial Officer (Minutes) |
|------------------|---|

Visitor(s)

| | | |
|--|---------------------------------------|-----|
| Mr Martin Gravett (departed at 5:30pm) | Technical Director – Waste Management | GHD |
|--|---------------------------------------|-----|



3 DISCLOSURE OF INTERESTS

Nil

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

4.1 2020 WASTE & RECYCLE VIRTUAL CONFERENCE – 25 SEPTEMBER 2020

The Chairman mentioned that EMRC Councillors and Deputy Councillors received a letter from the CEO last week requesting expressions of interest to register for the 2020 Waste & Recycle Virtual Conference to be held on 25 September 2020. He asked that Councillors who are interested to advise EMRC officers after the meeting.

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 PERMANENT FOGO PROCESSING FACILITY

The Chairman advised that Mr Martin Gravett, Technical Director from GHD will provide a confidential presentation on the Permanent FOGO Processing Facility under Item 11.1 of the agenda.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 7 MAY 2020

That the Minutes of the Waste Advisory Committee meeting held on 7 May 2020 which have been distributed, be confirmed.

WAC RESOLUTION(S)

MOVED CR O'CONNOR

SECONDED CR CONGERTON

THAT THE MINUTES OF THE WASTE ADVISORY COMMITTEE MEETING HELD ON 7 MAY 2020 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 these minutes.

9.1 CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)

10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil



11 REPORTS OF EMPLOYEES

- Item 11.1 PROGRESS REPORT ON THE IMPLEMENTATION OF THE EMRC FOGO RECOVERY STRATEGY
- Item 11.2 EXEMPTION FROM TENDER REGULATIONS FOR A SUPPLIER
- Item 11.3 DEVELOPMENT OF ADMINISTRATION & WORKSHOP BUILDING, HAZELMERE RESOURCE RECOVERY PARK
- Item 11.4 WASTE TRANSFER STATION, HAZELMERE RESOURCE RECOVERY PARK
- Item 11.5 ITEMS CONTAINED IN THE INFORMATION BULLETIN

QUESTIONS

The Chairman invited questions from members on the reports of employees.

RECOMMENDATION(S)

That with the exception of items, which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Reports of Employees (Section 11).

WAC RECOMMENDATION(S)

MOVED CR CONGERTON SECONDED MR COTEN

That with the exception of items 11.1, 11.2, 11.3 and 11.4 which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Reports of Employees (Section 11).

CARRIED UNANIMOUSLY

The Chairman closed the doors at this point of the meeting. No members of the public were present.

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 JEANS SECONDED MS REID

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.

CARRIED UNANIMOUSLY

The Chairman closed the doors at this point of the meeting at 5:06pm as the attachments to Items 11.1, 11.3 and 11.4 were all confidential. The meeting remained closed until the conclusion of Confidential Item 14.1 – Class IV Waste Cell (Preliminary Design & Approvals).



11.1 PROGRESS REPORT ON THE IMPLEMENTATION OF THE EMRC FOGO RECOVERY STRATEGY

REFERENCE: D2020/13486 (WAC) – D2020/20522

PURPOSE OF REPORT

The purpose of this report is to provide an update on the implementation of the Food Organics and Garden Organics (FOGO) Recovery Strategy including endorsement of the Feasibility Study for a Permanent FOGO Facility.

KEY POINTS AND RECOMMENDATION(S)

- The Town of Bassendean commenced deliveries of FOGO waste to the interim facility at Red Hill Waste Management Facility on 3 August 2020.
- The EMRC's waste education team have been supporting the Town of Bassendean with the rollout of this service.
- The City of Bayswater have advised that the start date for the commencement of FOGO collections will be deferred until February/March 2021.
- Engineering consultants GHD have been appointed as the advisers to support the tender process for a permanent FOGO facility.
- GHD have prepared a feasibility study for a permanent FOGO facility based on the scope of work agreed with the technical officer group.
- The technical officer group have reviewed the draft FOGO Supply Agreement for FOGO supply.

Recommendation(s)

That:

1. Council endorses the Feasibility Study for a Permanent FOGO Facility forming the confidential attachment to this report.
2. Council approves the preparation of a Request for Tender for a Permanent FOGO Facility to be issued to the Acceptable Tenderers after endorsement of the tender documents by the member Council technical officer group.
3. Council request its member Councils to confirm their commitment to supply their FOGO waste, at an indicative cost in the range as referred to in the confidential attachment to this report, to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations.
4. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves unbudgeted expenditure of \$400,000 for the 2020/2021 to progress the implementation of the FOGO Recovery Strategy.
5. The attachment remains confidential and be certified by the Chairman and CEO.

SOURCE OF REPORT

Chief Project Officer



Item 11.1 continued

BACKGROUND

At its 6 December 2018 meeting of Council, it was resolved (Ref: D2018/17076):

“THAT COUNCIL:

- 1. ACKNOWLEDGE THE REQUESTS FROM THE TOWN OF BASSENDEAN AND THE CITY OF BAYSWATER FOR THE INVESTIGATION OF THE PROCESSING OF FOOD AND GARDEN ORGANIC WASTE (FOGO) AT THE RED HILL WASTE MANAGEMENT FACILITY.*
- 2. NOTES THE OPTIONS BEING CONSIDERED FOR THE PROCESSING OF FOGO WASTE AT THE RED HILL WASTE MANAGEMENT FACILITY.*
- 3. AS PART OF THE VARIOUS OPTIONS BEING CONSIDERED, THAT INVESTIGATIONS AND COST MODELLING BE UNDERTAKEN ON OPTIONS TO ESTABLISH AN INTERIM FINANCIAL ARRANGEMENT ON BEHALF OF MEMBER COUNCILS, WITH SOUTHERN METROPOLITAN REGIONAL COUNCIL OR OTHER APPROPRIATE THIRD PARTIES FOR THE PROCESSING OF FOGO COMMENCING 1 JULY 2019 UNTIL THE RED HILL WASTE MANAGEMENT FACILITY IS ABLE TO RECEIVE AND PROCESS FOGO WASTE.*
- 4. REQUEST THE OUTCOME FROM THE REVIEW OF THE VARIOUS OPTIONS INCLUDING COST MODELLING BE PRESENTED TO THE MARCH 2019 ORDINARY COUNCIL MEETING.”*

At its 21 March 2019 meeting of Council, it was resolved (D2019/05266):

“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.”*

Following the draft Food Organics and Garden Organics (FOGO) Waste Strategy (Ref: D2019/14024) being presented to the Waste Advisory Committee on 5 September 2019, it was subsequently endorsed by Council at its 19 September 2019 meeting and was resolved as follows (Ref: D2019/14022):



Item 11.1 continued

“THAT COUNCIL ENDORSES THE DRAFT FOOD ORGANICS AND GARDEN ORGANICS (FOGO) RECOVERY STRATEGY SUBJECT TO THE LAST DOT POINT UNDER ‘PRINCIPLES’ ON PAGE 9 BEING AMENDED TO STATE “THE FUNDING OF BINS, CADDIES AND INITIAL EDUCATION/PRODUCT MARKETING FOR MEMBER COUNCILS WILL BE FUNDED THROUGH THE SECONDARY WASTE RESERVE.”

At its 20 February 2020 meeting of Council, it was resolved (Ref: D2020/2381):

“THAT:

- 1. THE FOLLOWING RESPONDENTS TO THE EXPRESSION OF INTEREST ARE LISTED AS ACCEPTABLE TENDERERS:
 - A. BARPA PTY LTD;*
 - B. HITACHI ZOSEN INOVA AUSTRALIA PTY LTD;*
 - C. PINDAN CONTRACTING PTY LTD;*
 - D. SACYR ENVIRONMENT AUSTRALIA PTY LTD; AND*
 - E. VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD.**
- 2. THE FOLLOWING RESPONDENTS TO THE EXPRESSION OF INTEREST ARE NOT LISTED AS ACCEPTABLE TENDERERS:
 - A. AURIGEN GROUP*
 - B. BIOGASS RENEWABLES PTY LTD;*
 - C. CLEANAWAY PTY LTD;*
 - D. FOCUS ENVIRO (EMER PTY LTD)*
 - E. REGROUP PTY LTD; AND*
 - F. SKALA AUSTRALASIA PTY LTD.**
- 3. THE RESPONDENTS TO EXPRESSION OF INTEREST 2019 -007 BE ADVISED OF THE OUTCOME OF THE ASSESSMENT.*
- 4. THAT A FEASIBILITY STUDY IS PREPARED AND ADOPTED BY COUNCIL PRIOR TO TENDERS BEING CALLED.*
- 5. THE ATTACHMENT(S) REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.”*

At its 19 March 2020 meeting of Council, it was resolved (Ref: D2020/05700):

“THAT COUNCIL:

- 1. DECLARES ON THIS DAY 19 MARCH 2020, A DISTRIBUTION TALLING \$13,789,200 FROM THE SECONDARY WASTE RESERVE TO BE DISTRIBUTED TO ALL MEMBER COUNCILS ON OR BEFORE 30 JUNE 2020.*
- 2. AUTHORISES THE DISTRIBUTION TO THE RESPECTIVE PARTICIPANTS OF THE EMRC:
 - A. BE BASED ON \$100 PER HOUSEHOLD; AND*
 - B. FOLLOWING THE NEXT CENSUS IN 2021 AN ADJUSTMENT DISTRIBUTION BE MADE BASED ON REVISED NUMBER OF HOUSEHOLDS PER MEMBER COUNCIL.**
- 3. AGREES THE DISTRIBUTION OF FUNDS TO THE RESPECTIVE MEMBER COUNCILS IS TO ASSIST AND SUPPORT THE IMPLEMENTATION OF FOGO RECOVERY PROGRAM INCLUDING THE COST OF BINS, KITCHEN CADDIES AND FIRST YEAR CADDY LINERS IN LINE WITH THE SECONDARY WASTE TREATMENT OF HOUSEHOLD MUNICIPAL WASTE.*
- 4. SHOULD A MEMBER COUNCIL DECIDE NOT TO PROCEED WITH THE FOGO PROGRAM, DISTRIBUTED FUNDS ARE TO BE REFUNDED TO THE SECONDARY WASTE RESERVE.*



Item 11.1 continued

5. *REQUEST AN UPDATED TIMELINE FOR TENDER IMPLEMENTATION OF A PERMANENT FOGO PROCESSING SOLUTION THAT INCLUDES THE TASKS OF PREPARING A FEASIBILITY STUDY AND OBTAINING COUNCIL APPROVAL PRIOR TO TENDERS BEING CALLED."*

At its 21 May 2020 Council meeting it was resolved (Ref: D2020/08952):

"THAT COUNCIL:

- 1. RECEIVES THE REPORT.*
- 2. REFER THE DRAFT TIMELINE FOR TENDER IMPLEMENTATION TO A WORKING GROUP, CONSISTING OF EMRC OFFICERS AND MEMBER COUNCIL'S TECHNICAL OFFICERS.*
- 3. REPORT BACK TO A FUTURE WASTE ADVISORY COMMITTEE MEETING WITH A REVISED TIMELINE.*
- 4. THAT THE SCOPE OF WORKS FOR THE FEASIBILITY STUDY STEMMING FROM THE EMRC COUNCIL MEETING DECISION OF 20 FEBRUARY 2020 IS ENDORSED BY THE WASTE ADVISORY COMMITTEE PRIOR TO COMMENCEMENT."*

REPORT

FOGO Collections and FOGO Education

The EMRC's waste education team have been supporting the Town of Bassendean with the rollout of their FOGO collection service which commenced on 27 July 2020.

The City of Bayswater have advised that the start date for the commencement of FOGO collections will be deferred until February/March 2021.

Interim FOGO Processing

The interim facility at Red Hill Waste Management Facility (Red Hill) received licence approval from the Department of Water Environmental Regulation (DWER) on 29 June 2020. After completion of the hard stand and leachate pond and installation of the two stage Mobile Aerated Floor (MAF) system, FOGO waste from the Town of Bassendean was received on 3 August 2020.

Feasibility Study for a FOGO Permanent Facility

Engineering consultants GHD have been appointed as the advisers to support the tender process for a permanent FOGO facility.

GHD have prepared a feasibility study for a permanent FOGO facility based on the scope of work agreed with the technical officer group. The draft feasibility study was reviewed by the technical officer group on 27 August 2020 and feedback has been incorporated into a final version which is a confidential attachment to this report (Attachment 1).

Acceptable Tenderer Presentations

The five acceptable tenderers were invited to provide presentations on their technologies and consortiums to a group comprising of EMRC and member Council technical officer representatives between 14 and 21 August 2020. The confidential presentations were made either in person or online and were comprehensive and feedback has informed the feasibility study and will inform the tender process going forward.

FOGO Supply Agreement

A redrafted FOGO Supply Agreement has been reviewed by the technical officer group following input from the EMRC's lawyers. The technical officer group have requested further amendments and when a satisfactory draft is available, the FOGO Supply Agreement will be sent to member Councils for their independent legal review. Following this process, the FOGO Supply Agreement will be the subject of a report to Council for endorsement, prior to the issue of a Request for Tender for a Permanent FOGO Processing Facility.



Item 11.1 continued

In the meantime, member Councils are requested to commit to supply their FOGO Waste to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations at an upper indicative gate fee per tonne as referred to in the confidential Feasibility Study.

RFT for Permanent FOGO Facility

The indicative timeline for the implementation of a tender process for a Permanent FOGO Processing facility is as follows:

| PROJECT STAGE | DATE |
|-----------------------------|------------------------------------|
| Tenders called | December 2020 |
| Tender period | 15 weeks |
| Tender review | March – May 2021 |
| Council approval | June 2021 |
| Preferred tenderer notified | June 2021 |
| Contract award | July/August 2021 |
| Construction period | 15 – 18 months (subject to tender) |
| Commissioning | Jan 2023 (subject to tender) |
| Operations commence | Mar 2023 (subject to tender) |

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations

FINANCIAL IMPLICATIONS

For the year ended 30 June 2020, \$514,910 was underspent against the budget. There is some provision in the adopted 2020/2021 Annual Budget but the underspend was not carried forward into the current year. To progress the implementation, unbudgeted funds of \$400,000 is sought to be utilised from the Secondary Waste Reserve.

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 | |



Item 11.1 continued

CONFIDENTIAL ATTACHMENT(S)

Feasibility Study for a Permanent FOGO Processing Facility (Ref D2020/20290)

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

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That:

1. Council endorses the Feasibility Study for a Permanent FOGO Facility forming the confidential attachment to this report.
2. Council approves the preparation of a Request for Tender for a Permanent FOGO Facility to be issued to the Acceptable Tenderers after endorsement of the tender documents by the member Council technical officer group.
3. Council request its member Councils to confirm their commitment to supply their FOGO waste, at an indicative cost in the range as referred to in the confidential attachment to this report, to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations.
4. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves unbudgeted expenditure of \$400,000 for the 2020/2021 to progress the implementation of the FOGO Recovery Strategy.
5. The attachment remains confidential and be certified by the Chairman and CEO.

Mr Gravett from GHD provided a presentation at Item 5.1 Permanent FOGO Processing Facility, Feasibility Study and responded to questions.

Discussion ensued and the CEO proposed that the following words be inserted at the end of point 2 of the officer recommendation:

“and requests that a Business Case be prepared based on the tender submissions for endorsement by Council before the tender is awarded.”

Discussion ensued.

The following proposed amended recommendation was moved by Cr Congerton and seconded by Cr Hamilton.

AMENDED RECOMMENDATION(S)

That:

1. *Council endorses the Feasibility Study for a Permanent FOGO Facility forming the confidential attachment to this report.*
2. *Council approves the preparation of a Request for Tender for a Permanent FOGO Facility to be issued to the Acceptable Tenderers after endorsement of the tender documents by the member Council technical officer group and requests that a Business Case be prepared based on the tender submissions for endorsement by Council before the tender is awarded.*



Item 11.1 continued

3. *Council request its member Councils to confirm their commitment to supply their FOGO waste, at an indicative cost in the range as referred to in the confidential attachment to this report, to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations.*
4. *Council by absolute majority in accordance with s.6.8 of the Local Government Act 1995 approves unbudgeted expenditure of \$400,000 for the 2020/2021 to progress the implementation of the FOGO Recovery Strategy.*
5. *The attachment remains confidential and be certified by the Chairman and CEO.*

WAC RECOMMENDATION(S)

MOVED CR CONGERTON

SECONDED CR HAMILTON

That:

1. Council endorses the Feasibility Study for a Permanent FOGO Facility forming the confidential attachment to this report.
2. Council approves the preparation of a Request for Tender for a Permanent FOGO Facility to be issued to the Acceptable Tenderers after endorsement of the tender documents by the member Council technical officer group and requests that a Business Case be prepared based on the tender submissions for endorsement by Council before the tender is awarded.
3. Council request its member Councils to confirm their commitment to supply their FOGO waste, at an indicative cost in the range as referred to in the confidential attachment to this report, to the Permanent FOGO Processing Facility for a 20-year period from the commencement of operations.
4. Council by absolute majority in accordance with s.6.8 of the Local Government Act 1995 approves unbudgeted expenditure of \$400,000 for the 2020/2021 to progress the implementation of the FOGO Recovery Strategy.
5. The attachment remains confidential and be certified by the Chairman and CEO.

CARRIED UNANIMOUSLY

Mr Gravett departed the meeting at this point of the meeting at 5:30pm.

As there were no members of the public, and taking into account the Confidential Item 14.1 be dealt with at the later part of the meeting, the meeting continued behind closed doors.



Item 11.1 continued

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON

SECONDED CR O'CONNOR

THAT:

1. COUNCIL ENDORSES THE FEASIBILITY STUDY FOR A PERMANENT FOGO FACILITY FORMING THE CONFIDENTIAL ATTACHMENT TO THIS REPORT.
2. COUNCIL APPROVES THE PREPARATION OF A REQUEST FOR TENDER FOR A PERMANENT FOGO FACILITY TO BE ISSUED TO THE ACCEPTABLE TENDERERS AFTER ENDORSEMENT OF THE TENDER DOCUMENTS BY THE MEMBER COUNCIL TECHNICAL OFFICER GROUP AND REQUESTS THAT A BUSINESS CASE BE PREPARED BASED ON THE TENDER SUBMISSIONS FOR ENDORSEMENT BY COUNCIL BEFORE THE TENDER IS AWARDED.
3. COUNCIL REQUEST ITS MEMBER COUNCILS TO CONFIRM THEIR COMMITMENT TO SUPPLY THEIR FOGO WASTE, AT AN INDICATIVE COST IN THE RANGE AS REFERRED TO IN THE CONFIDENTIAL ATTACHMENT TO THIS REPORT, TO THE PERMANENT FOGO PROCESSING FACILITY FOR A 20-YEAR PERIOD FROM THE COMMENCEMENT OF OPERATIONS.
4. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.6.8 OF THE LOCAL GOVERNMENT ACT 1995 APPROVES UNBUDGETED EXPENDITURE OF \$400,000 FOR THE 2020/2021 TO PROGRESS THE IMPLEMENTATION OF THE FOGO RECOVERY STRATEGY.
5. THE ATTACHMENT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

CARRIED UNANIMOUSLY



11.2 EXEMPTION FROM TENDER REGULATIONS FOR A SUPPLIER

REFERENCE: D2020/19068 (WAC) – D2020/20523

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, Petro Min Engineers.

KEY POINTS AND RECOMMENDATION(S)

- The EMRC use the services of Petro Min Engineers (PME) as electrical engineering consultants primarily on the Wood Waste to Energy project to advise on the electrical design work and fabrication/procurement being done by the contractor, Anergy Australia Pty Ltd.
- On current projections, the amount procured is likely to exceed the tender limit of \$250,000 (ex GST) before 31 December 2020.
- R.11(1)(f) of the *Local Government (Functions and General) Regulations 1996* requires tenders to be publicly invited for contracts worth more than \$250,000.
- R.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* provides 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.
- Due to PME's existing involvement and experience on the Wood Waste to Energy Project and for commercial reasons associated with the costs to change consultants at this stage, particularly in terms of time to bring a new contractor up to speed, it is suggested 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 Petro Min Engineers existing involvement and experience, it has good reason to believe there is unlikely to be any other supplier who can provide a similar value for money outcome to complete the electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
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

Chief Project Officer

BACKGROUND

The EMRC uses the services of PME to advise on electrical engineering matters from time to time related to access to the Western Power grid and site electrical reticulation issues. PME have also been involved in the Wood Waste to Energy (WWTE) Project from the early days of the project, both advising Anergy on electrical engineering aspects of the design and assisting EMRC with the options for export of the power.



Item 11.2 continued

In a confidential report to Council on 21 May 2020 it was resolved: (Ref: D2020/08317)

“*THAT:*

1. *COUNCIL AUTHORISES THE CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AMENDMENT TO THE DEED OF VARIATION WITH ANERGY AUSTRALIA PTY LTD SIGNED IN NOVEMBER 2019 AND NEGOTIATE AND AGREE AMENDMENTS OTHER THAN TO THE MAXIMUM TOTAL AMOUNT OF PAYMENTS SPECIFIED IN SCHEDULE A TO THE DEED OF VARIATION.*
2. *COUNCIL AUTHORISES A CONTINGENCY ALLOWANCE ON THE COST TO COMPLETION UP TO THE VALUE SPECIFIED IN THE REPORT.*
3. *THE REPORT AND REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.”*

The contingency allowance included an estimated expenditure on PME to assist the completion of the WWTE Plant.

REPORT

Over the last 12 months, the EMRC has required the WWTE contractor Anergy to utilise the services of PME in checking electrical engineering aspects of the plant design and equipment fabrication by external suppliers.

On current projections, the services procured from PME is likely to exceed the tender limit of \$250,000 (ex GST) before 31 December 2020. R.11(1) of the *Local Government (Functions and General) Regulations 1996* requires tenders to be publicly invited for contracts worth more than \$250,000, unless subsection (2) states otherwise.

R.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* 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.

Due to PME’s previous and existing involvement in the WWTE Project and for commercial reasons associated with the cost to change consultants at this stage, particularly in terms of time to bring a new contractor up to speed, it is recommended that the EMRC continue to utilise the services of PME to oversee the low voltage electrical installation tender issued by Anergy and the final sign off by Western Power. Therefore, it is suggested 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

Key Result Area 3 – Good Governance

- 3.4 To continue to improve financial and asset management practices



Item 11.2 continued

FINANCIAL IMPLICATIONS

Funds are provided in the adopted annual budget for 2020/2021 for consulting expenses to support the completion of the WWTE Plant. Expenditure on services from PME is likely to exceed \$250,000 this calendar year, including services estimated at \$150,000 between now and the plant completion.

SUSTAINABILITY IMPLICATIONS

The use of experienced and qualified consultants will ensure that the WWTE Plant is finished to the standard required by the EMRC and regulators.

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

RECOMMENDATION(S)

That:

1. Council acknowledges that because of Petro Min Engineers existing involvement and experience, it has good reason to believe there is unlikely to be any other supplier who can provide a similar value for money outcome to complete the electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
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.

Discussion ensued.

Cr O'Connor raised a question as to why the electrical design work is of a unique nature. He suggested that this item should go to tender for good governance, probity and process.

Mr Fitzpatrick advised that the request for an exemption related to the close involvement of PME in the project up to this point and articulated the concerns regarding the amount of time required to introduce a new electrical engineering consultant at this late stage of the project.

In response to a question, the CEO confirmed that there are no issues with probity.



Item 11.2 continued

With the discussion completed, the Chairman put the Officer Recommendations to the vote.

RECOMMENDATION(S)

MOVED CR CONGERTON

SECONDED CR JEANS

That:

1. Council acknowledges that because of Petro Min Engineers existing involvement and experience, it has good reason to believe there is unlikely to be any other supplier who can provide a similar value for money outcome to complete the electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
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.

LOST 5/6

For: Purdy, Congerton, Coten, Jeans, Pearson
Against: Wolff, O'Connor, Jackson, Reid, Campbell, Hamilton

Cr Johnson arrived at this point of the meeting, after the voting has been cast at 5:50pm.

In response to a query, Mr Fitzpatrick advised that the preparation of a tender would take several weeks and would result in a report item to WAC at its meeting on 19 November 2020 and then to the 3 December 2020 Ordinary Meeting of Council.

Mr Purdy suggested in order to accelerate the tender process that the CEO be authorised to award the tenderer within the limits.

The following alternative motion was moved by Cr O'Connor and seconded by Ms Reid.

ALTERNATIVE MOTION

That Council:

1. Proceeds to tender for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. Authorise the CEO to award the tender to the maximum value of \$200,000.

WAC RECOMMENDATION(S)

MOVED CR O'CONNOR

SECONDED MS REID

That Council:

1. Proceeds to tender for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. Authorise the CEO to award the tender to the maximum value of \$200,000.

CARRIED UNANIMOUSLY



Item 11.2 continued

A discussion paper was issued to the Councillors prior to the meeting with a request to amend the WAC recommendation.

Officer Comments

This WAC recommendation as currently tabled before Council poses some difficulties as on a strict interpretation, it would mean the immediate cessation of all remaining electrical engineering works including those provided by Petro Min Engineers or any other providers on the Hazelmere Wood Waste to Energy Project until an electrical engineering consultant is procured via a tender process.

As a tender process could take up to 8 weeks, this will cause time and cost delays to the project.

While EMRC officers do not believe this was the intention of the alternative motion, the motion as it stands would compromise the timeframe and have a material impact on the project.

EMRC officers recommend that consultants Petro Min Engineers be allowed to continue to be used for essential work on the project up to a maximum expenditure of \$250,000 (ex GST) whilst alternatives are sought through a request for quote up to the tender threshold or tender process as appropriate. This will enable work to continue on the project unimpeded by electrical engineering constraints.

It is noted that the second part of the WAC recommendation authorising the CEO to award a tender up to the maximum value of \$200,000 is redundant as the CEO already has this delegation from Council.

Discussion ensued on the following points:

- Purchasing Policy;
- Budget threshold; and
- Scope of works.

Proposed Alternate Recommendation

An alternative motion to meet the intent of the WAC's deliberations was proposed:

That Council:

1. *Notes that the EMRC will continue to use Petro Min Engineers for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project up to the tender limit if required*
2. *Proceeds to procure alternative electrical engineering services in the event that Petro Min Engineers cannot complete the work required for the Hazelmere Wood Waste to Energy Project.*

COUNCIL RESOLUTION(S)

MOVED CR O'CONNOR

SECONDED CR HAMILTON

THAT COUNCIL:

1. NOTES THAT THE EMRC WILL CONTINUE TO USE PETRO MIN ENGINEERS FOR THE REMAINING ELECTRICAL ENGINEERING REQUIREMENTS FOR THE HAZELMERE WOOD WASTE TO ENERGY PROJECT UP TO THE TENDER LIMIT IF REQUIRED.
2. PROCEEDS TO PROCURE ALTERNATIVE ELECTRICAL ENGINEERING SERVICES IN THE EVENT THAT PETRO MIN ENGINEERS CANNOT COMPLETE THE WORK REQUIRED FOR THE HAZELMERE WOOD WASTE TO ENERGY PROJECT.

CARRIED UNANIMOUSLY



11.3 DEVELOPMENT OF ADMINISTRATION & WORKSHOP BUILDING, HAZELMERE RESOURCE RECOVERY PARK

REFERENCE: D2020/16426 (WAC) – D2020/20524

PURPOSE OF REPORT

The purpose of this report is to obtain Council endorsement of the Business Case for the development of an administration & workshop building at the Hazelmere Resource Recovery Park and authorise a budget allocation for this project in the 2020/2021 capital works programme.

KEY POINTS AND RECOMMENDATION(S)

- The EMRC requires a new facility at the Hazelmere Resource Recovery Park (HRRP) for administration staff and for the maintenance of plant and equipment.
- The existing facilities are inadequate from a health and safety point of view and efficient management of the site.
- A Business Case for the proposed development is a confidential attachment to this report as requested by Council.
- Budget allocation is required to be approved.

Recommendation(s)

That:

1. Council endorses the Business Case for the proposed administration & workshop building at the Hazelmere Resource Recovery Park attached to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the allocation of funding as outlined in the confidential attachment 1 for the capital works programme for 2020/2021 Council.
3. The report and attachments remain confidential and be certified by the Chairman and CEO.

SOURCE OF REPORT

Chief Project Officer

BACKGROUND

The EMRC has planned the development of a new workshop at Hazelmere for some years and this is included in the Concept Plan for Hazelmere Resource Recovery Park. A budget allocation was made in the draft capital works budget for 2020/2021 but this was subsequently ring-fenced for reconsideration by Council after presentation of a satisfactory business case.

The Concept Plan for the HRRP also included an administration building to be located near the small vehicle entrance in Lakes Road. It has now been decided that this would be better included in the workshop building to provide for a central integrated facility.



Item 11.3 continued

REPORT

The HRRP requires a new administration & workshop building to accommodate site staff and provide an undercover mechanical workshop. Presently, the accommodation for the administration and operational staff is spread between the old house and two demountable offices. The house is in poor condition and is not suitably equipped or sized to accommodate the site's administration staff in one location, hence the ongoing use of a demountable for the administration officer and another for the site engineer. There is no dedicated meeting room in the house, offices are adapted from the bedrooms and the kitchen is a shared facility with administration staff and plant operators and ablution facilities are basic. Furthermore, the house is located within the area designated for the future proposed Community Recycling Centre (CRC) due for development in 2021 if approved by Council.

The current workshop consists of a small open-ended dome shelter providing very limited space for maintenance of the mobile heavy plant and some instances it is too small and not sufficient for the overhaul and maintenance of the HAAS grinder with very limited protection from adverse weather conditions. The present hardstand is deteriorating and is difficult to operate in during the winter months as can be seen in the images in the Business Case (See Figure 1).

These facilities are inadequate from a health and safety point of view and for efficient management of the site.

As part of this proposed development, the workshop hardstand will be regraded, asphalt paved, and additional stormwater management infrastructure installed to manage existing flooding issues of the area during the winter. A design has been developed for an integrated administration & workshop building as shown in attached Business Case (Attachment 1). This will provide for improved health and safety of the workforce and more efficient management of the site.

The new administration & workshop building will accommodate and provide amenities for up to 28 staff (including existing administration and operations staff and staff required for future site developments). The building will include the following features:

- Office space for managers and supervisors as required;
- Centralised IT Server Room for whole of the Site, to include NBN fibre connection and CCTV servers;
- Environmental laboratory for product material analysis;
- Staff meeting/ lunch room;
- Kitchen;
- Toilets and showers;
- Two large workshop bays including a gantry crane and dedicated compressor bay; and
- Supplies and parts storage.

Council endorsement is sought for the Business Case for an administration & workshop building at the Hazelmere Resource Recovery Park and a budget allocation to complete the project.

The budget estimate for the administration & workshop building is as shown in the attached Business Case which will be subject to a tender process and Council approval. The expected timeframe for completion of the construction is June 2021.



Item 11.3 continued

STRATEGIC/POLICY IMPLICATIONS

Ker result Area 1 – Environmental Sustainability

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

FINANCIAL IMPLICATIONS

A budget allocation as outlined in the confidential attachment 1 is requested for the 2020/2021 Capital Works programme to be funded from the Secondary Waste Reserve.

SUSTAINABILITY IMPLICATIONS

The administration & workshop building will provide for modern and safe, all weather facilities for the housing of staff at Hazelmere Resource Recovery Park and for the maintenance of plant and equipment.

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 | |

CONFIDENTIAL ATTACHMENT(S)

1. Business Case, Administration & Workshop Building, Hazelmere Resource Recovery Park (Ref: D2020/20291)
2. Drawing - Development of Administration Workshop Floor Plan (Ref: D2020/20292)
3. Development of Administration Cost Estimates – Hazelmere Workshop (Ref: D2020/20293)

These attachments are recommended to be confidential because they contain matters of a commercial-in-confidence nature.

VOTING REQUIREMENT

Absolute Majority



Item 11.3 continued

RECOMMENDATION(S)

That:

1. Council endorses the Business Case for the proposed administration & workshop building at the Hazelmere Resource Recovery Park attached to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the allocation of funding as outlined in the confidential attachment 1 for the capital works programme for 2020/2021 Council.
3. The attachments remain confidential and be certified by the Chairman and CEO.

Mr Purdy proposed a minor amendment with the following words at the end of point 2 "*funded from the Secondary Waste Reserve.*" to clearly identify where the funds are drawn from.

Discussion ensued and the CEO advised that the project is supporting existing operational activities. The current accommodation no longer meets the operational requirements for the staff to administer and operate the site safely and the new accommodation will provide safe and suitable accommodation fit for purpose.

ALTERNATIVE RECOMMENDATION

That:

1. Council endorses the Business Case for the proposed administration & workshop building at the Hazelmere Resource Recovery Park attached to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the allocation of funding as outlined in the confidential attachment 1 for the capital works programme for 2020/2021 Council, funded from the Secondary Waste Reserve.
3. The attachments remain confidential and be certified by the Chairman and CEO.



WAC RECOMMENDATION(S)

MOVED MR PURDY

SECONDED MR COTEN

That:

1. Council endorses the Business Case for the proposed administration & workshop building at the Hazelmere Resource Recovery Park attached to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the allocation of funding as outlined in the confidential attachment 1 for the capital works programme for 2020/2021 Council, funded from the Secondary Waste Reserve.
3. The attachments remain confidential and be certified by the Chairman and CEO.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON

SECONDED CR O'CONNOR

THAT:

1. COUNCIL ENDORSES THE BUSINESS CASE FOR THE PROPOSED ADMINISTRATION & WORKSHOP BUILDING AT THE HAZELMERE RESOURCE RECOVERY PARK ATTACHED TO THIS REPORT.
2. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.6.8 OF THE *LOCAL GOVERNMENT ACT 1995* APPROVES THE ALLOCATION OF FUNDING AS OUTLINED IN THE CONFIDENTIAL ATTACHMENT 1 FOR THE CAPITAL WORKS PROGRAMME FOR 2020/2021 COUNCIL, FUNDED FROM THE SECONDARY WASTE RESERVE.
3. THE ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

CARRIED UNANIMOUSLY



11.4 WASTE TRANSFER STATION, HAZELMERE RESOURCE RECOVERY PARK

REFERENCE: D2020/16425 (WAC) – D2020/20526

PURPOSE OF REPORT

The purpose of this report is to obtain Council endorsement for the Business Case for the proposed Waste Transfer Station at Hazelmere Resource Recovery Park and seek Council approval to proceed with the procurement process.

KEY POINTS AND RECOMMENDATION(S)

- As part of the tender evaluation of the Resource Recovery Facility in 2017, the EMRC investigated the feasibility of a waste transfer station at Hazelmere Resource Recovery Park (HRRP).
- A Business Case for a Waste Transfer Station (WTS) at the HRRP Red Hill Waste Management Facility has been developed and forms a confidential attachment to this report.
- A Works Approval for the proposed WTS has been received from the Department of Environment and Water Regulation (DWER).

Recommendation(s)

That:

1. Council endorses the Business Case for the proposed Waste Transfer Station at Hazelmere Resource Recovery Park which forms a confidential attachment to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the unbudgeted expenditure up to the amount detailed in the report to the capital works programme for 2020/2021 to progress the design and tender process for the proposed Waste Transfer Station.
3. The attachment remains confidential and be certified by the Chairman and CEO.

SOURCE OF REPORT

Chief Project Officer

BACKGROUND

In a confidential report to the 7 September 2017 Special meeting of Council it was resolved: (Ref: D2017/12794)

“THAT:

1. COUNCIL CONFIRMS THAT THE PREFERRED TENDERER FOR REQUEST FOR TENDER (RFT) 2016-005 – RESOURCE RECOVERY FACILITY (RRF) IS A CONSORTIUM COMPRISING HITACHI ZOSEN INOVA AG, NEW ENERGY CORPORATION PTY LTD AND TRIBE INFRASTRUCTURE DEVELOPMENT PTE LTD (HZI CONSORTIUM).
2. COUNCIL CONFIRMS THAT HZI CONSORTIUM INTENDS TO ESTABLISH AN ENERGY FROM WASTE FACILITY IN EAST ROCKINGHAM TO PROCESS MUNICIPAL WASTE FROM THE EMRC, MRC AND COMMERCIAL CUSTOMERS.
3. COUNCIL ADOPTS THE WASTE SUPPLY AGREEMENT BETWEEN EMRC AND HZI CONSORTIUM FORMING AN ATTACHMENT TO THIS REPORT.



Item 11.4 continued

4. THE CHAIRMAN AND THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN THE WASTE SUPPLY AGREEMENT WITH HZI CONSORTIUM UNDER THE COMMON SEAL.
5. COUNCIL ADOPTS THE FINANCIER SIDE DEED WITH THE SECURITY TRUSTEE AND EACH OF THE EMRC MEMBER COUNCILS FORMING AN ATTACHMENT TO THIS REPORT.
6. THE CHAIRMAN AND THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN THE FINANCIER SIDE DEED WITH THE SECURITY TRUSTEE UNDER THE COMMON SEAL.
7. COUNCIL ADOPTS THE PARTICIPANTS AGREEMENT FOR A WASTE SUPPLY AGREEMENT WITH EACH OF THE EMRC MEMBER COUNCILS.
8. THE CHAIRMAN AND THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN THE PARTICIPANTS AGREEMENT FOR A WASTE SUPPLY AGREEMENT UNDER THE COMMON SEAL WITH EACH OF THE EMRC MEMBER COUNCILS.
9. THE CEO BE AUTHORISED IN CONSULTATION WITH THE CHAIRMAN AND ON LEGAL ADVICE TO MAKE MINOR CHANGES TO THE AGREEMENTS FORMING ATTACHMENTS TO THIS REPORT.
10. EMRC MEMBER COUNCILS BE REQUESTED TO ADOPT AND SIGN THE PARTICIPATION AGREEMENT FOR A WASTE SUPPLY AGREEMENT.
11. EMRC MEMBER COUNCILS BE REQUESTED TO ADOPT AND SIGN THE FINANCIER SIDE DEED.
12. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.”

In a confidential report to the 21 February 2019 meeting of Council, it was resolved: (Ref: D2019/02171)

“THAT:

1. COUNCIL NOTES THE CONTRACTOR’S ADVICE THAT FINANCIAL CLOSE FOR THE EAST ROCKINGHAM RESOURCE RECOVERY FACILITY (RRF) PROJECT MAY NOT BE REACHED BY 14 MARCH 2019 AS SPECIFIED IN THE WASTE SUPPLY AGREEMENT.
2. COUNCIL GRANTS AN EXTENSION OF TIME FOR THE CONTRACTOR TO ACHIEVE FINANCIAL CLOSE UNTIL 30 JUNE 2019.
3. COUNCIL AUTHORISES THE CEO TO GRANT FURTHER EXTENSIONS OF TIME TO THE CONTRACTOR FOR FINANCIAL CLOSE AS REQUIRED.
4. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.”

In a confidential report to a Special Meeting of Council on 27 June 2019, it was resolved: (Ref: D2019/08734)

“THAT:

1. COUNCIL NOTES THE CONTRACTOR’S ADVICE THAT FINANCIAL CLOSE FOR THE EAST ROCKINGHAM RESOURCE RECOVERY FACILITY (RRF) PROJECT WILL NOT BE REACHED BY 30 JUNE 2019 AS SPECIFIED IN THE WASTE SUPPLY AGREEMENT.
2. COUNCIL ADOPTS OPTION 5 AS CONTAINED IN THE BODY OF THE REPORT AND ADVISES THE CONTRACTOR ACCORDINGLY.
3. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.”



Item 11.4 continued

REPORT

As part of the budget approval process for 2020/2021 it was decided to ring-fence the capital budget for the proposed Waste Transfer Station (WTS) and reconsider this upon the presentation of a business case for the facility.

The financial modelling for the WTS has been revised after discussions with the member Council technical officer group and the amended costings are included in the Business Case (attached). On advice from the technical officer group, discussions were held with the City of Gosnells and the City of Rockingham regarding their existing or proposed use of waste compactor systems which has informed the Business Case.

Council endorsement is sought for the Business Case for a Waste Transfer Station at the Hazelmere Resource Recovery Park and approval for a budget allocation of \$150,000 in the capital works programme to complete the detailed design and tender documentation.

STRATEGIC/POLICY IMPLICATIONS

Ker result Area 1 – Environmental Sustainability

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

FINANCIAL IMPLICATIONS

Funding for the implementation of the Waste Transfer Station in 2020/2021 is requested including the detailed design and documentation for a request for tender. Funding will be provided from the Secondary Waste Reserve.

SUSTAINABILITY IMPLICATIONS

The Waste Transfer Station will provide for sustainable and reliable consolidation of participant Council residual waste for transport to the East Rockingham RRF and minimise environmental impacts.

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 | |



Item 11.4 continued

CONFIDENTIAL ATTACHMENT(S)

Business Case, Waste Transfer Station, Hazelmere Resource Recovery Park (Ref: D2020/20294)

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

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That:

1. Council endorses the Business Case for the proposed Waste Transfer Station at Hazelmere Resource Recovery Park which forms a confidential attachment to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the unbudgeted expenditure up to the amount detailed in the report to the capital works programme for 2020/2021 to progress the design and tender process for the proposed Waste Transfer Station.
3. The attachment remains confidential and be certified by the Chairman and CEO.

Discussion ensued and Mr Purdy proposed a minor amendment to dot point 2:

- Remove the words “the unbudgeted expenditure up to the amount detailed in the report” and;
- Insert the words after approves “up to \$150,000 expenditure”

Rationale is that this figure is an adopted budgeted amount.

ALTERNATIVE RECOMMENDATION

That:

1. Council endorses the Business Case for the proposed Waste Transfer Station at Hazelmere Resource Recovery Park which forms a confidential attachment to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves up to \$150,000 expenditure to the capital works programme for 2020/2021 to progress the design and tender process for the proposed Waste Transfer Station.
3. The attachment remains confidential and be certified by the Chairman and CEO.

Discussion ensued and Ms Reid advised she is opposed to the alternative recommendation as her primary concern is that there is not sufficient information in the Business Case for the capital costs for the overall project.

Mr Fitzpatrick advised what the estimated capital cost was, and that this would be updated to the attached Business Case.



Item 11.4 continued

WAC RECOMMENDATION(S)

MOVED MR PURDY

SECONDED MR JACKSON

That:

1. Council endorses the Business Case for the proposed Waste Transfer Station at Hazelmere Resource Recovery Park which forms a confidential attachment to this report.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves up to \$150,000 expenditure to the capital works programme for 2020/2021 to progress the design and tender process for the proposed Waste Transfer Station.
3. The attachment remains confidential and be certified by the Chairman and CEO.

CARRIED 11/1

For: Wolff, Congerton, Hamilton, Johnson, O'Connor, Jeans, Campbell, Pearson, Jackson, Purdy, Coten
Against: Reid

WAC Post Meeting Note

An updated confidential attachment (V3 Business Case) was distributed after the WAC meeting with reference to the estimated capital costs on pages 6 and 7.

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON

SECONDED CR O'CONNOR

THAT:

1. COUNCIL ENDORSES THE BUSINESS CASE FOR THE PROPOSED WASTE TRANSFER STATION AT HAZELMERE RESOURCE RECOVERY PARK WHICH FORMS A CONFIDENTIAL ATTACHMENT TO THIS REPORT.
2. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.6.8 OF THE *LOCAL GOVERNMENT ACT 1995* APPROVES UP TO \$150,000 EXPENDITURE TO THE CAPITAL WORKS PROGRAMME FOR 2020/2021 TO PROGRESS THE DESIGN AND TENDER PROCESS FOR THE PROPOSED WASTE TRANSFER STATION.
3. THE ATTACHMENT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

CARRIED UNANIMOUSLY



11.5 ITEMS CONTAINED IN THE INFORMATION BULLETIN

REFERENCE: Ref: D2020/13861

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

1. WASTE SERVICES

- 1.1 2019/2020 COUNCIL TONNAGE COMPARISONS AS AT 30 JUNE 2020 (Ref: D2020/13856)
- 1.2 2020/2021 COUNCIL TONNAGE COMPARISONS AS AT 31 JULY 2020 (Ref: D2020/19059)

RECOMMENDATION

That the Waste Advisory Committee notes the items contained in the Information Bulletin accompanying the 3 September 2020 Waste Advisory Committee Agenda.

WAC RESOLUTION(S)

MOVED CR CONGERTON SECONDED MR COTEN

THAT THE WASTE ADVISORY COMMITTEE NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 3 SEPTEMBER 2020 WASTE ADVISORY COMMITTEE AGENDA.

CARRIED UNANIMOUSLY



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

At the commencement of Item 11.1 – Progress Report on the Implementation of the EMRC FOGO Recovery Strategy, the chairman closed the doors of the meeting as there were confidential attachments to Item 11.1, 11.3 and 11.4. The doors remained closed until the conclusion of confidential Item 14.1.

14.1 CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)

REFERENCE: D2020/16428

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

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 HAMILTON

SECONDED MR CAMPBELL

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 6:21pm.



Recording of the recommendations passed behind closed doors, namely:

14.1 CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)

REFERENCE: D2020/16428

WAC RECOMMENDATION(S)

MOVED MR COTEN

SECONDED CR HAMILTON

That:

1. Council authorises the commencement of the design and approval process for Class IV Stage 3 Cell development.
2. Council by absolute majority in accordance with s.6.8 of the *Local Government Act 1995* approves the unbudgeted expenditure up to the amount detailed in the report to proceed with the design and regulatory approvals for the development of a new Class IV cell at the Red Hill Waste Management Facility.
3. The report and attachment(s) remain confidential and be certified by the Chairman and CEO.

CARRIED UNANIMOUSLY

15 FUTURE MEETINGS OF THE WASTE ADVISORY COMMITTEE

The next meeting of the Waste Advisory Committee will be held on **Thursday, 8 October 2020 (if required)** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 5:00pm.

Future Meetings 2020

| | | | | |
|----------|-------------|---------------|----|----------------------------|
| Thursday | 8 October | (if required) | at | EMRC Administration Office |
| Thursday | 19 November | (if required) | at | EMRC Administration Office |

16 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:22pm.