



**SHIRE OF ASHBURTON
PILBARA REGIONAL WASTE MANAGEMENT
FACILITY (PRWMF) COMMITTEE**

**PUBLIC AGENDA AND ATTACHMENTS
Clem Thompson Sports Pavilion,
Stadium Road
Tom Price**

**13 October 2020
9.00 am**

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

SHIRE OF ASHBURTON

PILBARA REGIONAL WASTE MANAGEMENT FACILITY (PRWMF) COMMITTEE MEETING

Notice is hereby given that a Pilbara Regional Waste Management Facility (PRWMF) Committee Meeting for the Shire of Ashburton will be held on 13 October 2020 at the Clem Thompson Sports Pavilion, Stadium Road, Tom Price commencing at 9.00 am.

The business to be transacted is shown in the Agenda.



Kenn Donohoe
CHIEF EXECUTIVE OFFICER

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by the Committee and/or endorsement by the Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

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**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

1. DECLARATION OF OPENING

The Presiding Member declared the meeting opened at _____ am.

1.1 ACKNOWLEDGEMENT OF COUNTRY

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past, present and emerging.

2. ATTENDANCE

2.1 PRESENT

Members:	Cr K White Cr D Diver Cr M Lynch	Onslow Ward (Presiding Member) Tom Price Ward Tom Price Ward
Staff:	Mr K Donohoe Mr A Sheridan Mrs C McGurk Mr. J Bingham Mrs K Bartley Mr A Majid Mrs. M Lewis	Chief Executive Officer Acting Director Infrastructure Services Acting Director Projects and Procurement Director Corporate Services Director Community Services Director Development Services Council Liaison Officer
Guests:		
Members of Public:	There were _____ members of the public in attendance at the commencement of the meeting.	
Members of Media:	There were _____ members of the media in attendance at the commencement of the meeting.	

2.2 APOLOGIES

2.3 APPROVED LEAVE OF ABSENCE

3. ANNOUNCEMENT OF VISITORS

4. DECLARATION BY MEMBERS

4.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors White, Lynch and Diver are requested to acknowledge during the meeting that they have given due consideration to all matters contained in the Agenda.

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

4.2 DECLARATIONS OF INTEREST

Councillors to Note

A member who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting that will be attended by the member must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting
Or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (a) Preside at the part of the Meeting, relating to the matter or;
- (b) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

These notes are included in each agenda for the time being so that Councillors may refresh their memory:

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act*; or

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
There are no Declarations of Interest for this meeting.		

**5. PILBARA REGIONAL WASTE MANAGEMENT FACILITY
COMMITTEE MEETING HELD ON 8 SEPTEMBER 2020**

Officers Recommendation

That the Unconfirmed Minutes of the Pilbara Regional Waste Management Facility Committee (PRWMF) Meeting (**ATTACHMENT 5.1**) held on 8 September 2020 be confirmed as a true and accurate record.

6. TERMS OF REFERENCE

Members: Crs Diver, Lynch and White.
Deputies: All other Councillors.
Secretariat: Director Infrastructure Services or nominee.
Membership: 3 Councillors.
Quorum: 2 Councillors.
Purpose: The Committee is to undertake the task of overseeing the PRWMF construction project and to make recommendations to Council as per the following Roles and Responsibilities:

- Progress against the project timeline;
- Income / Expenditure, Actual versus Budget;
- Milestone reports to funding bodies;
- Any designs and reports regarding estimated cost, risk, and deliverables;
- Major variations (over \$150,000 in cost, or exceed total budget, or change in scope that affects functionality or purpose of the facility) for recommendation to Council;
- Performance requirements as required under funding agreements;
- Proposed variations to the terms of the funding agreements;
- Final documented designs before presentation to Council for endorsement; and
- Project progress reports and major variation requests during construction.

Meeting cycle: As required.

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

7. AGENDA ITEMS

There are no public agenda items for this meeting.

8. CONFIDENTIAL MATTERS

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

1. *If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

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

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

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

(I) a trade secret;

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

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

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

(f) a matter that if disclosed, could be reasonably expected to:

(I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

(II) Endanger the security of the local government's property; or

(III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;

(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and

(h) such other matters as may be prescribed.

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

**8.1 CONFIDENTIAL ITEM - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY – STATUS REPORT**

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Helen Pickering Manager Waste Services
AUTHORISING OFFICER AND POSITION:	Alan Sheridan Acting Director Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	25 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 7.1 (Minute No. 131/2020) Ordinary Meeting of Council 8 September 2020

REASON FOR CONFIDENTIALITY

The Acting Director Infrastructure Report is confidential in accordance with s5.23 (2) the *Local Government Act 1995* because it deals with matters affecting s5.23 (2):

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

Officers Recommendation

That with respect to the Confidential Item – Pilbara Regional Waste Management Facility- Status Report, the Pilbara Waste Management Committee;

1. Receive the report regarding the construction phase of the Pilbara Regional Waste Management Facility project, noting that it has been compiled in accordance with the Pilbara Regional Waste Management Facility Committee Terms of Reference; and
2. Receive the Hybrid Alliance Model Contract and Total Waste Management Services report for the Pilbara Regional Waste Management Facility.

**PUBLIC AGENDA - PILBARA REGIONAL WASTE MANAGEMENT
FACILITY COMMITTEE 13 OCTOBER 2020**

9. NEXT MEETING

The next Pilbara Regional Waste Management Facility (PRWMF) Committee meeting will be held at a date and time to be advised.

10. CLOSURE OF MEETING

The Presiding Member closed the meeting at ____ am.

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**



**SHIRE OF ASHBURTON
PILBARA REGIONAL WASTE MANAGEMENT
FACILITY (PRWMF) COMMITTEE**

**MINUTES
Council Chambers, Onslow Shire Complex
Second Avenue, Onslow**

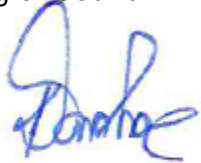
**8 September 2020
9.00 am**

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

SHIRE OF ASHBURTON

PILBARA REGIONAL WASTE MANAGEMENT FACILITY (PRWMF) COMMITTEE

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.



CEO: _____
Mr K Donohoe

Date: 16.09.2020

These minutes were confirmed by Council as a true and correct record of proceedings of the Pilbara Regional Waste Management Facility (PRWMF) Committee Meeting on the 8 September 2020.

Presiding Member: _____

Date: _____

DISCLAIMER

The resolutions contained in the Minutes are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

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**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

1. DECLARATION OF OPENING

The Presiding Member declared the meeting opened at 9.02 am.

1.1 ACKNOWLEDGEMENT OF COUNTRY

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past, present and emerging.

2. ATTENDANCE

2.1 PRESENT

Members:	Cr K White Cr D Diver Cr M Lynch	Onslow Ward (Presiding Member) Tom Price Ward Tom Price Ward
Staff:	Mr K Donohoe Mr M Hudson Mrs C McGurk Mr. J Bingham Mrs K Bartley Mrs. M Lewis	Chief Executive Officer Director Infrastructure Services Acting Director Development Services Director Corporate Services Director Community Services Council Liaison Officer
Guests:	Cr Rumble Cr Foster Cr Dias Cr Gallanagh Cr de Pledge	Elected Members
Members of Public:	There were no members of the public in attendance at the commencement of the meeting.	
Members of Media:	There were no members of the media in attendance at the commencement of the meeting.	

2.2 APOLOGIES

There were no apologies for this meeting.

2.3 APPROVED LEAVE OF ABSENCE

There were no Approved Leave of Absence for this meeting.

3. ANNOUNCEMENT OF VISITORS

There were no public visitors in attendance.

4. DECLARATION BY MEMBERS

4.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

Councillors White, Lynch and Diver are requested to acknowledge during the meeting that they have given due consideration to all matters contained in the Agenda.

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

4.2 DECLARATIONS OF INTEREST

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**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

- 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the *Local Government Act*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
There were no Declarations of Interest for this meeting.		

5. PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE MEETING HELD ON 16 JULY 2019

Committee Decision
<p>MOVED: Cr M Lynch SECONDED: Cr D Diver</p> <p>That the Unconfirmed Minutes of the Pilbara Regional Waste Management Facility Committee (PRWMF) Meeting (ATTACHMENT 5.1) held on 16 July 2019 be confirmed as a true and accurate record.</p> <p align="right">CARRIED 3/0</p>

6. TERMS OF REFERENCE

Members: Crs Diver, Lynch and White.
 Deputies: All other Councillors.
 Secretariat: Director Infrastructure Services or nominee.
 Membership: 3 Councillors.
 Quorum: 2 Councillors.
 Purpose: The Committee is to undertake the task of overseeing the PRWMF construction project and to make recommendations to Council as per the following Roles and Responsibilities:

- Progress against the project timeline;
- Income / Expenditure, Actual versus Budget;
- Milestone reports to funding bodies;
- Any designs and reports regarding estimated cost, risk, and deliverables;
- Major variations (over \$150,000 in cost, or exceed total budget, or change in scope that affects functionality or purpose of the facility) for recommendation to Council;
- Performance requirements as required under funding agreements;
- Proposed variations to the terms of the funding agreements;
- Final documented designs before presentation to Council for

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

- endorsement; and
- Project progress reports and major variation requests during construction.

Meeting cycle: As required.

UNCONFIRMED MINUTES

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

7. AGENDA ITEMS

7.1 PILBARA REGIONAL WASTE MANAGEMENT FACILITY – STATUS REPORT

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Mike Hudson Director Infrastructure Services
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This status report seeks to update the Pilbara Waste Management Facility Committee (PRWMFC) on the progress of the construction phase of the Pilbara Regional Waste Management Facility, in accordance with the Terms of Reference (Committee, 23 April 2019).

Background

The Pilbara Regional Waste Management Facility (PRWMF) is located approximately 40km south of the town of Onslow. The design of the facility was undertaken by Talis Consulting, primarily to accept Class IV hazardous waste. The design of the facility required a double composite lining system, leachate evaporation ponds and leachate leak detection.

The operational licence for the facility will include the following waste streams:

- Class III Landfill
- Class IV Landfill
- Commercial and Domestic Recycling Facility
- Liquid Waste Facility
- Green Waste Facility

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
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The construction of the facility has been undertaken utilising two contract packages;

1. Contract RFT 04.19 Onslow Class IV Landfill Project Early Works, awarded to NTC Contracting for the contract sum of \$ 1, 343,353.55 ex GST. (Practical completion was achieved on February 18, 2020).
2. Contract RFT 07.19 Onslow Class IV Landfill Project - Main Works, awarded to Raubex Construction Pty Ltd for contract sum of \$ 12,818,284.31 ex GST (Tender accepted 22 October 2019 OCM and executed June 4, 2020).

Comment

1. Main Works construction progress summary:

- Progress is in accordance with the Contractors schedule.
- Culvert installation is 90% complete. Only concrete to head/wing walls and rip rap remain.
- Main Cell 1 earthworks are close to completion – the attenuation layer has been placed and the basin is currently being prepared. No delay expected.
- Turkeys nest earthworks is 100% complete and will only require trimming before liner installation.
- Leachate pond earthworks is 100% complete and will only require trimming before liner installation.
- Currently, the earthworks are concentrated on completing cell 1 basin, truck decoupling areas and subgrade to laydown areas.
- Construction of the water attenuation basins has commenced.

Other:

- A suitable source of material for pavement construction was confirmed on-site and will be utilised for road subbase construction and the fire tracks. (The use of site-won materials will deliver large cost savings to the project).
- Delivery of HDPE and Geofabrics commenced in August and deliveries will continue for the next month.
- All Contractor technical issues are dealt with in an efficient manner and to date, have had no impact to the progress on site.
- Practical completion date (15/12/2020) currently remains unchanged with no extension of time claims submitted by the Contractor.

2. Actual current expenditure

Early Works - final expenditure was \$1,413,362.04

Variations as reported to OCM July 2020

Variations	No.	Amount	Explanation for variation
Test Holes	1	\$9,577.00	Existing site bore hole was within the proposed road alignment and a new bore hole was required.
Additional 40m the entrance road	2	\$116,479.75	Change in design required as a result of MRWA Construction of the intersection. The

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

			construction of an extra 40 m of the road way was required.
Excess cut to fill	3	\$237,719.91	Excavation requirements of the drainage swales was grossly underestimated, exceeding the 15% limits as per AS4000.
Extra Water cartage	4	\$18,274.40	Insufficient water onsite to construct the road, and the contractor had to import the additional water.
Culvert rock pitching	5	\$5,462.40	Item missed from the scope of works.
Additional Insurance	6	\$50,000.00	The extra insurance was required by BHP because the proposed road crossed over the existing high pressure gas pipe line.

3. Main Works – current expenditure as approved by the Superintendent

Claim 1 June 2020 - \$1,967,448.43
 Claim 2 July 2020 - \$1,125,699.92
 Claim 3 August 2020 - \$1,385,371.62

4. Milestone reports to funding bodies.

Reports as required by Building Better Regions Funds (BBRF) have been completed and submitted.

5. Any designs and reports regarding estimated cost, risk and deliverables

Nil

6. Major Variations

None to report, current minor variation amount \$ -128,342.48

7. Performance requirements as required under funding agreement

As per point 4 -reports as required by BBRF have been completed and submitted

8. Proposed variations to the terms of the funding agreement

Nil

9. Project progress reports and major variation requests

1. Program update as per 28/8/2020 included in the attachments.
2. No major variation requests

ATTACHMENT 7.1

Consultation

Executive Leadership Team

Statutory Environment

There are no known statutory impediments for this matter.

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8 SEPTEMBER 2020**

Financial Implications

The project is running to budget and within the specified time frame. There are no new risks to budget identified at this time.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 04 Quality Services and Infrastructure
Objective 1 Quality public infrastructure

Strategic Direction – Provide and maintain affordable infrastructure that serves the current and future needs of the community, environment, industry and business.

Risk Management

Report only, risk assessment not required

Policy Implications

ELM10 Financial Sustainability Policy
ENG09 Asset Management Policy.

Voting Requirement

Simple Majority Required

Officers Recommendation and Committee Decision

MINUTE: 131/2020

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That with respect to Pilbara Regional Waste Management Facility – Status Report, Council receive this status report.

CARRIED 3/0

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

8. CONFIDENTIAL MATTERS

There were no Confidential Matters for this meeting.

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

1. If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

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

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

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

(I) a trade secret;

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

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

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

(f) a matter that if disclosed, could be reasonably expected to:

(I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;

(II) Endanger the security of the local government's property; or

(III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;

(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and

(h) such other matters as may be prescribed.

**MINUTES - PILBARA REGIONAL WASTE MANAGEMENT FACILITY COMMITTEE
8 SEPTEMBER 2020**

9. NEXT MEETING

The next Pilbara Regional Waste Management Facility (PRWMF) Committee meeting will be held on 13 October 2020 at the Clem Thompson Sports Pavilion, Stadium Road, Tom Price at a time to be advised.

10. CLOSURE OF MEETING

The Presiding Member closed the meeting at 9.09 am.

UNCONFIRMED MINUTES