



**Confirmed Minutes of the Meeting of the
Southern Metropolitan Regional Council
held at the City of Fremantle Council Chambers
8 William St, Fremantle
on Thursday 24 April 2008
Commencing at 5.12pm**

1. Declaration of Opening / Announcement of Visitors

The Deputy Chairman welcomed members and declared the meeting open at 5.12pm.

He also welcomed Ms Melissa Parke MP, Federal Member for Fremantle, and thanked Ms Parke for accepting the Chairman's invitation to attend an SMRC Council meeting.

2. Record of Attendance / Apologies / Leave of Absence (previously approved)

Present:

Cr Clive Robartson OAM (<i>Chair</i>)	City of Melville
Cr Bruce Mason (from 6.05pm)	City of Canning
Mayor Stephen Lee	City of Cockburn
Mayor Alan Ferris	Town of East Fremantle
Cr Sandra Lee	Town of Kwinana
Cr Richard Smith	City of Rockingham
Mr Silvio Trinca	City of Canning
Mr Stephen Cain	City of Cockburn
Mr Jim Duff	City of Fremantle
Mr Peter McKenzie	Town of Kwinana
Mr Kumar Vadivale	City of Melville
Mr Stuart McAll	SMRC – Chief Executive Officer
Mr Chris Wiggins	SMRC – Manager Administration & Finance
Mr Chuck Ellis	SMRC – Manager Communications
Mr Tim Youe	SMRC - Manager Business Development
Ms Debbie Winfield	SMRC - Executive Assistant to CEO - Minutes

Visitors:

Ms Melissa Parke MP	Member for Fremantle
Mr Stuart Garbutt (to 5.25pm)	Managing Director, Recycling, Design & Technologies Pty Ltd

Apologies:

Cr Doug Thompson (<i>Chairman</i>)	City of Fremantle
Mr Stuart Wearne	Town of East Fremantle
Mr Stewart Marshall	City of Rockingham

Observer:

Mr Michael Littleton	City of Cockburn
----------------------	------------------

3. Disclosure of Interests

Nil

4. **Response to Previous Public Questions Taken on Notice**

Nil

5. **Public Question Time**

Nil

6. **Applications for Leave of Absence**

Nil

7. **Petitions / Deputations / Presentations**

Nil

7.1 **Deputation Regarding the Design and Construct Material Recycling Facility (MRF) Contract**

The Chairman introduced Mr Stuart Garbutt, Managing Director, Recycling, Design and Technologies Pty Ltd (RDT) to the Council.

Mr Garbutt requested Council to consider withdrawing its claim of liquidated damages in regard to the Contract between RDT and SMRC for the Design and Construction of the Material Recycling Facility (MRF).

The Chair invited questions.

In response to a question from Mr Michael Littleton, City of Cockburn about how quickly the work on the MRF could be completed if the liquidated damages issue was resolved, Mr Garbutt advised the majority of work would take 5 weeks, with the Bailer taking a longer period of 14 weeks,

Mr Garbutt departed the Council Chambers at 5.25pm.

8. **Confirmation of Minutes of Previous Meetings**

8.1 **SMRC Council Minutes – 28 February 2008**

COUNCIL RESOLUTION

01.04.08 **MOVED** Mayor Stephen Lee **SECONDED** Mayor Ferris

That the Minutes of the previous Meeting of the Southern Metropolitan Regional Council, held on Thursday 28 February 2008 at the Town of East Fremantle, 355 Canning Highway, East Fremantle be received as a true and accurate record.

CARRIED 5/0

9. **Questions by Members of which Due Notice has been Given**

Nil

10. **Questions Without Notice**

Nil

11. **Announcement of Confidential Matters for which Meetings may be Closed to the Public**

The Chairman advised that due to the confidential nature of Report Item 13.10 – Design and Construct MRF Contract, this item would be dealt with towards the end of the meeting under item 19 'Confidential Matters for which the Meeting may be Closed to the Public'.

12. Business Not Dealt with from a Previous Meeting

Nil

13. Report of Officers

13.1 Recyclables Tender 2007/11

COUNCIL RESOLUTION/S

02.04.08 MOVED Cr Sandra Lee SECONDED Cr Smith

1. The Regional Council in accordance with clause 18(6) of the Local Government (Functions and General) Amendments Regulations 2000 approves the award of PET to Polytrade Pty Ltd in accordance with the tendered prices and terms and conditions of tendering.
2. The Regional Council gives delegated authority to the CEO to sell commodities produced at the Regional Resource Recovery Centre either up to a total contract value of \$200,000 or, at a price no less than 5% greater than the last tendered price accepted by the SMRC.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

13.2 Regional Greenhouse Community Greenhouse Gas Abatement Project

Following discussion, the mover and seconder Mayor Stephen Lee and Mayor Ferris respectively, agreed to a second point as follows:

2. That the SMRC CEO investigates the process of registering the name 'Climate Wise' as a Domain name, and/or a Business name and/or a Trademark and undertakes the appropriate registration.

COUNCIL RESOLUTION/S

03.04.08 MOVED Mayor Stephen Lee SECONDED Mayor Ferris

1. That Council approve that the Regional Community Greenhouse Gas Abatement Project be referred to as 'Climate Wise.'
2. That the CEO investigates the process of registering the name 'Climate Wise' as a Domain name, and/or a Business name and/or a Trademark and undertakes the appropriate registration.

CARRIED 5/0

13.3 Member Councils to Join RRRC Project

Tabled at the meeting

A letter from the Town of Kwinana dated 18 April 2008, regarding Secondary Waste Treatment Strategy, requesting SMRC to prepare a Business Plan to enable the Town of Kwinana to consider becoming a participant in the Regional Council's Resource Recovery Project.

Following discussion, the mover and seconder Councillors Sandra Lee and Smith respectively, agreed to add the words 'and opportunities' after the words 'other issues'.

COUNCIL RESOLUTION/S

04.04.08 MOVED Cr Sandra Lee SECONDED Cr Smith

That the CEO prepare an amended RRRC project business plan in accordance with the SMRC's Establishment Agreement, which demonstrates the impact on the business plan and any other issues and opportunities associated with incorporating the City of Rockingham's and the Town of Kwinana's domestic waste requirements.

CARRIED 5/0

13.4 Financial Statements for the Period Ended 29 February 2008

COUNCIL RESOLUTION/S

05.04.08 MOVED Mayor Ferris SECONDED Cr Smith

That the Statement of Financial Activity by Business Plan of the Southern Metropolitan Regional Council for the month ended 29 February 2008 be received.

CARRIED 5/0

13.5 Financial Statements for the Period Ended 31 March 2008

COUNCIL RESOLUTION/S

06.04.08 MOVED Cr Smith SECONDED Cr Sandra Lee

That the Statement of Financial Activity by Business Plan of the Southern Metropolitan Regional Council for the month ended 31 March 2008 be received

CARRIED 5/0

13.6 Budget 07/08 Review (Version 2)

COUNCIL RESOLUTION/S

07.04.08 MOVED Mayor Stephen Lee SECONDED Cr Smith

The 2007/08 budget review report dated 8 April 2008 and the amounts detailed in the column labelled "*Revised Budget*" in the detailed financial statements by Business Units titled "2007/08 Budget Review by Business Units version 2 dated April 2008" be adopted

CARRIED BY AN ABSOLUTE MAJORITY 5/0

13.7 Draft 2008/09 Budget Parameters

Discussion ensued and it was agreed the resolution would need to reflect further amendments discussed, and the mover and seconder Cr Smith and Mayor Ferris respectively, agreed to change point 1 of the officer recommendation to be as follows:

"1. That the Chief Executive Office amend the Draft 2008/09 Budget as discussed at the meeting."

Cr Lee departed the Council Chambers at 5.53pm.

Cr Lee returned to the Council Chambers at 5.54pm.

COUNCIL RESOLUTION/S

08.04.08 MOVED Cr Smith SECONDED Mayor Ferris

1. That the Chief Executive Office amend the Draft 2008/09 Budget as discussed at the meeting.
2. A copy of the report be provided to member councils for comment.
3. The Draft Budget 2008/09 together with any member council's comments be presented to the May 2008 Regional Council meeting.

CARRIED 5/0

13.8 Schedule of Accounts

COUNCIL RESOLUTION/S

09.04.08 MOVED Mayor Stephen Lee SECONDED Mayor Ferris

That:

1. That the schedule of payments for the months of February & March 2008 as listed in the attachment, amounting to \$5,933,057.03 for the municipal fund, be received.
2. The schedule of payments, as presented, be incorporated in the minutes of the meeting.

CARRIED 5/0

13.9 Information Bulletin

COUNCIL RESOLUTION/S

10.04.08 MOVED Cr Smith SECONDED Mayor Stephen Lee

1. That the April 2008 Information Bulletin be received and noted.
2. That the SMRC Cash Investments report in the April 2008 Information Bulletin as Information Item 2.1 be received.

CARRIED 5/0

14. Reports of Committees

14.1 Minutes of Public Relations Committee – 17 March 2008

COUNCIL RESOLUTION/S

11.04.08 MOVED Cr Sandra Lee SECONDED Mayor Stephen Lee

That:

1. The Manager Communications draft a document for the Chairman's approval to be distributed via email to those politicians in State and Local Government currently receiving emails from the CMCOAG website. CEO; and
2. The Committee recommend the Manager Communications consider engaging a suitable consultant to conduct ambient odour surveys and investigate potential odour sources in the Canning Vale, Leeming and Willetton including, but not limited to, the RRRRC.

CARRIED 5/0

15. Reports of Delegates and Representatives Meetings

Nil

16. Announcements by the Chairman or Person Presiding without Discussion

Nil

17. Elected Members Motions of which Previous Notice has been Given

Nil

18. New Business of an Urgent Nature Approved by the Chairman or Person Presiding or by Decision of Meeting

18.1 Towards Zero Waste Summit China

At the invitation of the Chair the SMRC Chief Executive Officer provided a very brief outline of the Towards Zero Waste Summit held in China the previous week and advised that a full report on the summit would be provided to a future meeting of Council

18.2 Carbon Credits

At the invitation of the Chair, the SMRC Chief Executive Officer advised that the SMRC had this week received advice from the Department of Climate Change for SMRC's abatement claim of 53,618 tonnes of CO₂-e for the period 1 July 2006 to 30 June 2007.

18.3 Article in the Biocycle April 2008 Issue

An article titled 'Western Australia Reaches for Zero Waste' in the Biocycle April 2008 edition was tabled at the meeting.

The Chair advised that the article covered waste processing infrastructure in the Perth metropolitan area including SMRC's Material Recovery Facility, the Waste Composting Facility and the Greenwaste processing.

18.4 Chinese Delegation

At the invitation of the Chairman, the SMRC CEO reported that a Chinese delegation from the Foshang Huafeng Paper Co. Ltd had visited the RRRC that afternoon to view the MRF and shown interest in buying recycled materials directly from SMRC.

19. Confidential Matters for which the Meeting may be Closed to the Public

19.1 Design & Construct MRF Contract

COUNCIL RESOLUTION/S

12.04.08 **MOVED** Mayor Stephen Lee **SECONDED** Mayor Ferris

That Item 19.1 **Design & Construct MRF Contract** be held behind closed doors in accordance with section 5.23 (2) (c) and (2) (e) (ii) of the LGA 1995.

CARRIED 5/0

At 5.55pm the meeting was closed to the public.

Discussion ensued.

Cr Bruce Mason entered the Council Chambers at 6.05pm.

COUNCIL RESOLUTION/S

13.04.08 **MOVED** Mayor Ferris **SECONDED** Cr Smith

That the Chief Executive Officer prepare a report on losses incurred by the SMRC and legal implications as a result of the contractor not meeting the date for practical completion.

CARRIED 6/0

COUNCIL RESOLUTION/S

14.04.08 **MOVED** Mayor Lee **SECONDED** Mayor Ferris

That the meeting no longer be held behind closed doors.

CARRIED UNANIMOUSLY 6/0

At 6.12pm, the meeting was reopened to the public.

20. Future Meetings of Council

DATE 2008	VENUE
29 May	Town of Kwinana
26 June	City of Melville
31 July	City of Rockingham
25 September	City of Canning
27 November	City of Cockburn

21. Declaration of Closure of Meeting

There being no further business, the Chair declared the meeting closed at 6.13pm and invited Ms Melissa Parke MP, Federal Member for Fremantle to address the meeting.