

MINUTES OF THE MEETING OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL ORDINARY MEETING OF COUNCIL HELD ON THURSDAY 26TH JULY 2012 AT THE TOWN OF KWINANA, CNR GILMORE AVE & SULPHUR RD, KWINANA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman, Cr Tony Romano welcomed Members and declared the meeting open at 5:02 pm.

2. RECORD OF ATTENDANCE / APOLOGIES

PRESENT:

Cr Tony Romano (Chairman) City of Cockburn City of Fremantle Cr Doug Thompson (Deputy Chairman) Town of Kwinana Cr Sandra Lee Cr Robert Willis City of Melville Mr John Christie (REG member) City of Melville (REG member) Mr Peter Pikor City of Fremantle Town of Kwinana Mr Peter McKenzie (REG member)

Mr Tim Youé SMRC, A/Chief Executive Officer Mr Chris Wiggins (from 5:07pm) SMRC, Director Corporate Services SMRC, Director Assets and Operations

Mrs Leanne Downie SMRC, Minutes

APOLOGIES

Cr Cliff Collinson Town of East Fremantle

OBSERVERS

Ms Outi Hamalainen Guest

3. DISCLOSURE OF INTERESTS

Cr Sandra Lee declared a financial interest in Item 11.6 Councillor Development – Company Directors Course.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Niil

5. PUBLIC QUESTION TIME

Nil

6. ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING PERSON

Nil

7. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 MINUTES OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL ORDINARY MEETING HELD 3RD MAY 2012

COUNCIL RESOLUTION

12.07.01 MOVED CR S LEE

SECONDED CR R WILLIS

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE RRRC EDUCATION CENTRE ON $3^{\rm RD}$ MAY 2012 BE RECEIVED AS A TRUE AND ACCURATE RECORD.

8.2 MINUTES OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL SPECIAL MEETING HELD 24TH MAY 2012

COUNCIL RESOLUTION

12.07.02 MOVED CR D THOMPSON

SECONDED CR S LEE

THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD AT 9 ALDOUS PLACE, BOORAGOON ON THE 24^{TH} MAY 2012 BE RECEIVED AS A TRUE AND ACCURATE RECORD.

CARRIED 4/-

- 9. ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC
 - 11.1 WASTE COMPOSTING FACILITY DIGESTER TYRE SLIPPAGE
 - 11.2 DEC LICENCE
- 10. BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING
 Nil
- 11. REPORTS OF THE CEO
 - 11.1 WASTE COMPOSTING FACILITY DIGESTER TYRE SLIPPAGE
 - 11.2 DEC LICENCE

COUNCIL RESOLUTION

12.07.03 MOVED CR D THOMPSON

SECONDED CR S LEE

THAT ITEMS 11.1 WASTE COMPOSTING FACILITY DIGESTER TYRE SLIPPAGE AND 11.2 DEC LICENCE UPDATE BE HELD BEHIND CLOSED DOORS AND THE MATTERS BE KEPT CONFIDENTIAL IN ACCORDANCE WITH S5.23 2(c) OF THE LOCAL GOVERNMENT ACT 1995.

CARRIED 4/-

11.3 CONTINGENCY PLANNING: RECYCLABLES DIVERSION PROCEDURE

Cr Willis commended the initiative of having this contingency in place.

COUNCIL RESOLUTION

12.07.04 MOVED CR D THOMPSON

SECONDED CR R WILLIS

THAT:

COUNCIL ADOPTS THE FOLLOWING RISK TREATMENT PLAN FOR RECYCLABLES IN THE EVENT OF A FAILURE AT THE MATERIALS RECOVERY FACILITY:

- A. DIVERT A PORTION OF MATERIAL TO OTHER MRF'S IF THEY HAVE THE CAPACITY TO ACCEPT
- B. DIVERT REMAINING MATERIAL TO LANDFILL
- C. INVOICE SMRC CUSTOMERS THE SAME GATE FEE CHARGED BY THE MRF OR LANDFILL THAT THE MATERIAL IS DIVERTED TO
- D. IN THE EVENT OF (B) ENACT A MEDIA STRATEGY TO PROMPTLY INFORM COUNCILS, COMMUNITY AND THE WASTE AUTHORITY WHEN THE QUANTITY OF RECYCLABLES SENT TO LANDFILL EQUAL AT LEAST ONE DAY'S PRODUCTION

CARRIED 4/-

COUNCIL RESOLUTION

12.07.05 MOVED CR D THOMPSON

SECONDED CR R WILLIS

THAT THE A/CEO WRITES TO THE AUSTRALIAN COUNCIL OF RECYCLERS WITHDRAWING MEMBERSHIP

CARRIED 4/-

11.5 2012 WASTE & RECYCLE CONFERENCE - FREMANTLE

ITEM WITHDRAWN

Cr Lee left the meeting at 5:10pm

11.6 COUNCILLOR DEVELOPMENT - COMPANY DIRECTORS COURSE

CEO RECOMMENDATION

MOVED CR D THOMPSON

SECONDED CR T ROMANO

THAT:

- 1) THE POLICY FOR COUNCILLOR DEVELOPMENT AS ATTACHED TO REPORT 11.6 DATED $2^{\rm ND}$ JULY 2012 BE ADOPTED; AND
- 2) THAT THE REGIONAL COUNCIL PROVIDE FINANCIAL ASSISTANCE OF UP TO 50% TOWARDS THE COURSE FEE AND 2012/13 ANNUAL MEMBERSHIP FOR CR LEE'S ATTENDANCE IN THE AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS, COMPANY DIRECTORS COURSE.

Following questions by Members to the A/Chief Executive Officer and Director Corporate Services, Cr Thompson moved the following motion.

AMENDMENT RESOLUTION

12.07.06

MOVED D THOMPSON

SECONDED CR R WILLIS

THAT:

1) THE POLICY REVIEW BE DEFERRED FOR FURTHER CONSIDERATION

CARRIED 3/-

COUNCIL RESOLUTION

12.07.07

MOVED D THOMPSON

SECONDED CR T ROMANO

THAT:

- 1) THE POLICY REVIEW BE DEFERRED FOR FURTHER CONSIDERATION
- 2) THE REGIONAL COUNCIL PROVIDE FINANCIAL ASSISTANCE OF UP TO 50% TOWARDS THE COURSE FEE AND 2012/13 ANNUAL MEMBERSHIP FOR CR LEE'S ATTENDANCE IN THE AUSTRALIAN INSTITUTE OF COMPANY DIRECTORS, COMPANY DIRECTORS COURSE.

CARRIED 3/-

Cr Lee returned to the meeting at 5:28pm and was advised of the outcome.

11.7 BE LIVING SMART INC REPRESENTATIVE

COUNCIL RESOLUTION

12.07.08 MOVED CR D THOMPSON

SECONDED CR S LEE

THAT THE SMRC NOMINATES CR CLIFF COLLINSON AS A REPRESENTATIVE AND BOARD MEMBER TO THE BE LIVING SMART INC FOR THE TERM STIPULATED UNDER THE RULES OF THE ASSOCIATION.

CARRIED 4/-

11.8 COMMUNITY ODOUR REFERENCE GROUP

COUNCIL RESOLUTION

12.07.09 MOVED CR S LEE

SECONDED CR D THOMPSON

THAT THE MATTER IS REFERRED TO THE SMRC PUBLIC RELATIONS COMMITTEE FOR FURTHER CONSIDERATION

CARRIED 4/-

11.9 PARTICIPANTS' ESTIMATED RESIDENT POPULATION POLICY

COUNCIL RESOLUTION

12.07.10 MOVED CR D THOMPSON

SECONDED CR S LEE

THAT THE PARTICIPANTS' ESTIMATED RESIDENT POPULATION POLICY AS ATTACHED TO REPORT 11.9 DATED 4TH JULY 2012 BE ADOPTED.

CARRIED 4/-

11.10 REVIEW OF EXISTING COPORATE POLICIES

COUNCIL RESOLUTION

12.07.11 MOVED CR R WILLIS

SECONDED CR D THOMPSON

THAT THE REGIONAL COUNCIL ADOPT THE REVISED POLICIES, AS SUBMITTED EN BLOC.

CARRIED 4/-

11.11 CHIEF EXECUTIVE OFFICER RECRUITMENT PROCESS

COUNCIL RESOLUTION

12.07.12 MOVED CR S LEE

SECONDED CR R WILLIS

THAT:

- 1) THE RECRUITMENT PROCESS FOR THE CHIEF EXECUTIVE OFFICER BE APPROVED
- 2) A COMMITTEE TO SELECT AND APPOINT A CEO BE ESTABLISHED AND THE FOLLOWING PERSONS BE APPOINTED:

CR T ROMANO

CR D THOMPSON

CR R WILLIS

CR S LEE

CR C COLLINSON

- 3) THE COMMITTEE TO SELECT AND APPOINT A CEO BE GIVEN DELEGATED AUTHORITY TO DETERMINE:
 - a) THE REMUNERATION AND BENEFITS OFFERED
 - b) DURATION OF THE EMPLOYMENT CONTRACT

CARRIED 4/-

11.12 DRAFT AMENDED BUSINESS PLANS (CITY OF ROCKINGHAM WITHDRAWAL)

The Director Corporate Services responded to a question raised by the Chairman.

COUNCIL RESOLUTION

12.07.13 MOVED CR R WILLIS

SECONDED CR D THOMPSON

THAT THE DRAFT AMENDED FINANCIAL BUSINESS PLANS AND NOTIONAL WINDING UP REPORT DATED 4 JULY 2012 FOR THE PURPOSES OF THE WITHDRAWAL OF THE CITY OF ROCKINGHAM BE RECEIVED AND A COPY BE PROVIDED TO THE SMRC'S PARTICIPANTS AND THE CITY OF ROCKINGHAM.

CARRIED 4/-

11.13 REVIEW OF PUBLIC QUESTION TIME AT COUNCIL MEETINGS PROCEDURE

COUNCIL RESOLUTION

12.07.14 MOVED CR S LEE

SECONDED CR R WILLIS

THAT THE PUBLIC QUESTION TIME POLICY AS ATTACHED TO REPORT ITEM 11.13 DATED 16 JULY 2012 BE ADOPTED

CARRIED 4/-

11.14 REVIEW OF ADMINISTRATION OFFICE ACCOMMODATION

The A/Chief Executive Officer responded to a question by Cr Willis.

COUNCIL RESOLUTION

12.07.15 MOVED CR D THOMPSON

SECONDED CR R WILLIS

THAT THE A/CHIEF EXECUTIVE OFFICER ARRANGE A MEETING OF THE OFFICE ACCOMMODATION PROJECT PARTICIPANTS TO REVIEW ALTERNATIVE OFFICE ACCOMMODATION ARRANGEMENTS AND REPORT BACK TO THE NEXT COUNCIL MEETING.

CARRIED 4/-

11.15 PROPERTY & BUSINESS INTERRUPTION INSURANCE RENEWAL 2012-13

CEO RECOMMENDATION

MOVED CR S LEE

SECONDED CR D THOMPSON

THAT:

- 1) THE PROPERTY INSURANCE RENEWAL FOR 2012/13 AS DETAILED IN THE REPORT DATED 4 JULY 2012 AND ARRANGED BY LOCAL GOVERNMENT INSURANCE SERVICES BE ENDORSED; AND
- 2) THE REGIONAL COUNCIL CALL FOR PUBLIC TENDERS FOR THE PROVISION OF INSURANCE BROKING SERVICES FOR ITS INSURANCE RENEWAL 2013/14.

The Director Corporate Services read aloud the Audit & Risk Committee Recommendation for Council consideration. Cr Thompson moved an amendment to the Motion.

AMENDMENT RESOLUTION

12.07.16 MOVED CR D THOMPSON

SECONDED CR S LEE

2) THE REGIONAL COUNCIL CONSIDER THE PROVISION OF INSURANCE SERVICES BEYOND 2013 IN CONSULTATION WITH MEMBER COUNCILS

CARRIED 4/-

COUNCIL RESOLUTION

THAT:

- 1) THE PROPERTY INSURANCE RENEWAL FOR 2012/13 AS DETAILED IN THE REPORT DATED 4 JULY 2012 AND ARRANGED BY LOCAL GOVERNMENT INSURANCE SERVICES BE ENDORSED: AND
- 2) THE REGIONAL COUNCIL CONSIDER THE PROVISION OF INSURANCE SERVICES BEYOND 2013 IN CONSULTATION WITH MEMBER COUNCILS

CARRIED 4/-

11.16 DRAFT 2012/13 SMRC ANNUAL BUDGET

The Director Corporate Services gave a brief report on the highlights of the 2012/13 budget.

COUNCIL RESOLUTION

12.07.18 MOVED CR R WILLIS

SECONDED CR D THOMPSON

THAT:

- 1) THE 2012/2013 ANNUAL BUDGET FOR THE SOUTHERN METROPOLITAN REGIONAL COUNCIL AS PER THE BUDGET REPORT DATED 3 JULY 2012 BE ADOPTED.
- 2) THE 2012/2013 FEES AND CHARGES AS DETAILED IN THE 2012/2013 ANNUAL BUDGET REPORT DATED 3 JULY 2012 BE ADOPTED.
- 3) THE 2012/2013 RRRC BORROWING PROGRAM TO RE-FINANCE EXISTING LOANS AS DETAILED IN 2012/2013 ANNUAL BUDGET REPORT DATED 3 JULY 2012 BE ADOPTED.
- 4) THE 2012/2013 RRRC BORROWING PROGRAM TO RAISE NEW LOANS UP TO THE TOTAL OF \$4,500,000 AS DETAILED IN 2012/2013 ANNUAL BUDGET REPORT DATED 3 JULY 2012 BE ADOPTED.
- 5) THE RRRC PROJECT LENDING FACILITY EXISTING LOAN NO. 1-52 RELATING TO THE MATERIALS RECOVERY FACILITY BE RESTRUCTURED WITH THE WESTERN AUSTRALIAN TREASURY CORPORATION TO TAKE INTO ACCOUNT THE CURRENT DEBT PLUS THE PREMIUM FEE FOR RESTRUCTURE AND THE NEW BORROWING AS PER (4) ABOVE TO A MATURITY DATE OF 30 JUNE 2023.

CARRIED 4/-

11.17 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 APRIL 2012

COUNCIL RESOLUTION

12.07.19 MOVED CR R WILLIS

SECONDED CR D THOMPSON

THAT THE STATEMENT OF FINANCIAL ACTIVITY BY BUSINESS UNITS OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL FOR THE PERIOD ENDED 30 APRIL 2012 BE RECEIVED.

CARRIED 4/-

11.18 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MAY 2012

COUNCIL RESOLUTION

12.07.20 MOVED CR S LEE

SECONDED CR R WILLIS

THAT THE STATEMENT OF FINANCIAL ACTIVITY BY BUSINESS UNITS OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL FOR THE PERIOD ENDED 31 MAY 2012 BE RECEIVED.

CARRIED 4/-

11.19 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 JUNE 2012

The Director Corporate Services responded to a question raised by the Chairman that the report is an interim and will be audited in September 2012.

COUNCIL RESOLUTION

12.07.21 MOVED CR D THOMPSON SECONDED CR R WILLIS

THAT THE STATEMENT OF FINANCIAL ACTIVITY BY BUSINESS UNITS OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL FOR THE PERIOD ENDED 30 JUNE 2012 BE RECEIVED.

CARRIED 4/-

AT THE ORDINARY MEETING OF COUNCIL HELD ON 2ND MAY 2013 THE FOLLOWING RESOLUTION WAS MADE TO CORRECT THE MINUTES OF 26TH JULY 2012 RESOLUTION NO. 12.07.21:

COUNCIL RESOLVE THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON THURSDAY 26TH JULY 2012 BE AMENDED TO RECORD THE CORRECT RESOLUTION BEING:

12.07.21 MOVED CR D THOMPSON

SECONDED CR R WILLIS

- 1. THE UNAUDITED STATEMENT OF FINANCIAL ACTIVITY BY BUSINESS UNITS OF THE SOUTHERN METROPOLITAN REGIONAL COUNCIL FOR THE YEAR ENDED 30 JUNE 2012 BE RECEIVED.
- 2. IT IS NOTED THAT THE PROPOSAL TO USE FUNDS IN RESERVES & UNSPENT LOAN FOR ANOTHER PURPOSE RESULTING FROM THE DEC LICENCE ISSUED ON 1 APRIL 2012 WAS NOT REQUIRED; AND
- 3. THAT AN AMOUNT OF \$20,000 BE THE VALUE USED TO REPORT ANY VARIANCES BETWEEN BUDGET AND ACTUAL LINE ITEMS IN THE MONTHLY FINANCIAL STATEMENTS FOR THE 2012/13 FINANCIAL YEAR.

CARRIED 4/-

11.20 SCHEDULE OF PAYMENTS FOR APRIL, MAY & JUNE 2012

COUNCIL RESOLUTION

12.07.22 MOVED CR S LEE

SECONDED CR D THOMPSON

THAT:

- 1) THE SCHEDULE OF PAYMENTS AS LISTED IN THE ATTACHMENTS, AMOUNTING TO THE MONTH OF APRIL 2012 OF \$3,215,909.04, MAY 2012 OF \$4,479,459.92 & JUNE 2012 OF \$5,443,518.53 FOR THE MUNICIPAL FUND, BE RECEIVED.
- 2) THE SCHEDULE OF PAYMENTS, AS PRESENTED, BE INCORPORATED IN THE MINUTES OF THE MEETING.

CARRIED 4/-

11.21 SMRC CASH INVESTMENT PORTFOLIO

COUNCIL RESOLUTION

12.07.23 MOVED CR D THOMPSON

SECONDED CR R WILLIS

THAT THE SMRC CASH INVESTMENT PORTFOLIO AS AT 30 JUNE 2012 BE RECEIVED.

CARRIED 4/-

12. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN Nil

13.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PERSON PRESIDING OR BY DECISION OF MEETING Nil										
14.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN										
15.	CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO PUBLIC									TO 1	ГНЕ
	Miss Hamalainen left the meeting at 6:12pm.										
	The Chairman reminded Members of their responsibilities under Section 5.93 of the Loc Government Act. The Chairman allowed members of the Regional Executive Group remain in their capacity as officers of Member Councils.										
	11.1 WASTE COMPOSTING FACILITY DIGESTER TYRE SLIPPAGE										
	COUNCIL RESOLUTION										
	12.07.24	N	OVED CR R	WILLIS			;	SECO	NDED (CR S I	LEE
	THAT THE REGIONAL COUNCIL ENDORSES THE ACTIONS TAKEN TO DATE AND REQUESTS A FURTHER REPORT ON THE LEGAL POSITION AND RECTIFICATION INVESTIGATIONS BE PRESENTED BACK TO COUNCIL.										
									CA	RRIE) 4/-
	11.2 DEC LICENCE UPDATE										
	The A/Chief Executive Officer gave a commitment to arrange a briefing for Councillors ar Regional Executive Group Members after the tender closing date of 7 th August 2012.										and
	COUNCIL	RESOLU									
	12.07.25		IOVED CR S					ED CI	R D TH	OMPS	SON
	IHAI IHI	THAT THE DEC LICENCE UPDATE REPORT BE RECEIVED. CARRIED 4/-) 4/-
16.	DECLARATION OF CLOSURE OF MEETING										
	There beir	ng no furth	er business, th	ne Chairm	an declare	ed the me	eeting (closed	at 6:22	pm.	
I hereby certify that the Minutes of the Ordinary Council Meeting held on 26 th July 2012 were amended and confirmed as amended on 2 nd May 2013.											
Cr To	ny Roman	no, Chairm	an								
Signe	ed				Dated					-	