



**Confirmed Minutes of the Meeting of the
Southern Metropolitan Regional Council
held at the City of Cockburn
Coleville Crescent Spearwood
on Thursday 27 November 2008
Commencing at 5.05pm**

1. Declaration of Opening / Announcement of Visitors

The Chairman welcomed members and declared the meeting open at 5.05pm.

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

Present:

Cr Doug Thompson (Chairman)	City of Fremantle
Cr Bruce Mason (from 5.18pm)	City of Canning
Cr Sandra Lee	Town of Kwinana
Cr Clive Robartson OAM (Deputy Chairman)	City of Melville
Cr Richard Smith (Deputy Mayor)	City of Rockingham

Apologies

Mayor Stephen Lee	City of Cockburn (Leave of Absence)
Mayor Alan Ferris	Town of East Fremantle

Observers

Cr Richard Olsen	Town of East Fremantle
Mr Andrew Sharpe	City of Canning
Mr Michael Littleton	City of Cockburn
Mr Lionel Nicholson	City of Fremantle
Mr Peter McKenzie	Town of Kwinana
Mr John Christie	City of Melville
Mr Chris Thompson	City of Rockingham
Mr Stuart McAll	SMRC – Chief Executive Officer
Mr Chris Wiggins	SMRC – Manager Administration & Finance
Mr Brendan Doherty	SMRC – Manager Engineering Services
Mr Tim Youé	SMRC - Manager Business Development
Mr Chuck Ellis	SMRC – Manager Communication
Ms Debbie Winfield	SMRC – Executive Assistant to CEO - Minutes

Member of the Public

3. Disclosure of Interests

3.1 Councillor Sandra Lee – Disclosure of Financial Interest

The Chairman advised a disclosure of interest had been received from Cr Sandra Lee; a financial interest in Item 13.1, Schedule of Accounts.

4. Response to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

Mr Rob Petterson, Leeming resident.

1a. Mr Petterson advised he had not received a response to an email to SMRC 7 November 2008, and then requested reports as follows;

- (i) Odour Survey report.
- (ii) Toxic waste disposed of in the community/hazardous waste going into the waste stream report; on which SMRC collaborated in 2006 with the Curtin University.
- (iii) RRRRC Compost Facility Odour Audit and Character Training report.
- (iv) SMRC's challenge to DEC's report.

1b. Mr Petterson stated that no-one was challenging the MRF or the Greenwaste; they were challenging the WCF.

He then asked questions concerning the compost commercial market.

1c. He also stated that SMRC's consistent denial has alienated the local community and that the Manager, Communication had failed in his job at the SMRC.

At this point the Chairman interjected and advised that individual officers were not to be commented on at the Council meeting and any concerns should be addressed to the CEO outside a Council meeting.

Mr Petterson asked if the SMRC will dismiss the person responsible for the SMRC denial strategy and from where they obtain their inaccurate information.

1d. Mr Petterson requested that SMRC meet with local community members.

At the Chairman's invitation the CEO responded to Mr Petterson's questions, in order, advising:

1a (i) SMRC has not received the most recent Odour Survey report.
(ii) It was not clear what Mr Petterson was requesting and suggested Mr Petterson, clarify this to him in writing.
(iii) Again, it was not clear what Mr Petterson was requesting and suggested Mr Petterson, clarify this to him in writing and the request would be taken on notice. There had been staff training in odour assessment, nose calibration using the German Intensity Standard.
(iv) SMRC provided a response to DEC yesterday, and the report would not be made public until the DEC has the opportunity to make comment.

1b An overview of the markets and distribution of the compost. Currently the compost from the Waste Composting facility is sent to a compost manufacturer who sells and is developing the market for SMRC compost. The compost is also used in various soil blends.

1c Employees are following the direction of Council and the Public Relations Committee.

1d A meeting with local community members would be an excellent way forward. The Chairman echoed this view, stating that the Council would be happy to meet with local community members.

6. Applications for Leave of Absence

Nil

7. Petitions / Deputations / Presentations

Nil

8. Confirmation of Minutes of Previous Meetings

8.1 Council Minutes for the Council Meeting held on 25 September 2008

COUNCIL RESOLUTION/S

11.08-01 MOVED Cr Lee SECONDED Cr Smith

That the Minutes of the previous Council Meeting of the Southern Metropolitan Regional Council, held on Thursday, 25 September 2008 at the City of Canning be received as a true and accurate record.

CARRIED 4/0

8.1 Council Minutes for the Special Meeting of Council held on 11 November 2008

COUNCIL RESOLUTION/S

11.08-02 MOVED Cr Lee SECONDED Cr Robartson

That the Minutes of the Special Meeting of the Southern Metropolitan Regional Council, held on Tuesday, 11 November 2008 at the SMRC be received as a true and accurate record.

CARRIED 4/0

At 5.18pm Mr Rob Petterson (member of the public) departed the Council Chambers.

At 5.18pm, Cr Mason entered the Council Chambers.

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 Confidential Report Item 5.2 – ‘Report on the Impact of the Global Financial Crisis’ part of the Audit Committee Minutes Item 14.3, would be dealt with at this point in the meeting, as a Confidential Item.

11.1 Confidential Report Item 5.2 – ‘Report on the Impact of the Global Financial Crisis’ Audit Committee Minutes Item 14.3

COUNCIL RESOLUTION/S

11.08-03 MOVED Cr Smith SECONDED Cr Lee

That Item 5.2 – ‘Report on the Impact of the Global Financial Crisis’ of the Audit Committee Minutes Item 14.3, be moved behind closed doors in accordance with Section 5.23 (2) (c), (d) and (e) of the Local Government Act 1995.

CARRIED 5/0

At 5.20pm, the meeting was closed to the public.

MOVED Cr Mason

SECONDED Cr Smith

1. That the confidential report on the impact of the global financial market on the SMRC be noted.
2. That the RRRRC Project Participants be advised that the MRF discount will not be paid until the SMRC has declared a surplus financial position after the 30 June 2009.

At the invitation of the Chairman, the CEO responded to Councillors' questions regarding the impact of the loss of revenue.

MOVED Cr Mason

SECONDED Cr Smith

That in accordance with S5.95(7)(6) of the Local Government Act 1995 that the confidential report no longer be confidential and be made available.

The CEO advised that the report detailed contract information and should be kept confidential. In light of this information, the mover Cr Mason with the consent of the seconder Cr Smith withdrew the motion.

COUNCIL RESOLUTION/S

11.08-04

MOVED Cr Mason

SECONDED Cr Smith

That an amendment to the motion by inserting a third recommendation as follows;

3. That a report be made available to member councils on the impact of the recyclable commodity price changes on the SMRC budget.

AMENDMENT CARRIED 4/1

COUNCIL RESOLUTION/S

11.08-05

MOVED Cr Mason

SECONDED Cr Smith

1. That the confidential report on the impact of the global financial market on the SMRC be noted.
2. That the RRRRC Project Participants be advised that the MRF discount will not be paid until the SMRC has declared a surplus financial position after the 30 June 2009.
3. That a report be made available to member councils on the impact of the recyclable commodity prices changes on the SMRC budget.

CARRIED 4/1

COUNCIL RESOLUTION/S

11.08-06

MOVED Cr Thompson

SECONDED Cr Smith

That the meeting no longer be held behind closed doors.

CARRIED 5/0

At 5.30pm, the meeting was reopened to the public.

12. Business Not Dealt with from a Previous Meeting

Nil

13. Report of Officers

The Chairman advised that Cr Lee had disclosed a Financial Interest in item 13.1 Schedule of Accounts, cheque number 1643 dated 30 September 2008, payment of \$106.50 to Fair Dinkum Chocolates.

At 5.31pm, Cr Lee departed the Council Chambers.

13.1 Schedule of Accounts

COUNCIL RESOLUTION/S

11.08-07 MOVED Cr Smith SECONDED Cr Robartson

That:

- 1) That the schedule of payments as listed in the attachments, amounting to the month of September 2008 of \$3,625,480.21 and the month of October 2008 of \$2,761,471.20 for the municipal fund, be received.
- 2) The schedule of payments, as presented, be incorporated in the minutes of the meeting.

CARRIED 4/0

At 5.32pm Cr Lee re-entered the Council Chambers.

13.2 Draft Standing Orders Local Law 2008

COUNCIL RESOLUTION/S

11.08-08 MOVED Cr Smith SECONDED Cr Lee

That:

1. The Southern Metropolitan Regional Council Standing Orders Local Law 2008 be adopted and advertised in accordance with section 3.12 of the Local Government Act 1995.
2. A copy of the adopted Local Law be provided to the Minister for Local Government.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

13.3 SMRC Draft Strategic Waste Management Plan (SWMP)

MOVED Cr Robartson

SECONDED Cr Lee

1. The minor amendments itemised in the report be incorporated into the Final Plan.
2. The Southern Metropolitan Regional Council Strategic Waste Management Plan be adopted.
3. That the adopted Strategic Waste Management Plan be sent to the member councils' CEOs for endorsement at their respective December meetings of Council.

The mover and seconder, Crs Robartson and Lee, respectively, accepted a minor amendment to the officer's third recommendation, suggested by the Chairman, that the words "with a request that it be addressed" be inserted following the word 'endorsement'.

COUNCIL RESOLUTION/S

11.08-09 MOVED Cr Robartson SECONDED Cr Lee

1. The minor amendments itemised in the report be incorporated into the Final Plan.
2. The Southern Metropolitan Regional Council Strategic Waste Management Plan be adopted.
3. That the adopted Strategic Waste Management Plan be sent to the member councils' CEOs for endorsement with a request that it be addressed at their respective December meetings of Council.

CARRIED 5/0

13.4 Financial Statements for the Period Ended 30 September 2008

COUNCIL RESOLUTION/S

11.08-10 MOVED Cr Lee SECONDED Cr Mason

That the Statement of Financial Activity by Business Plan of the Southern Metropolitan Regional Council for the month ended 30 September 2008 be received.

CARRIED 5/0

13.5 Financial Statements for the Period Ended 31 October 2008

The Manager Administration and Finance provided a commentary to this report item, for the financial statements for the period ended 31 October 2008.

COUNCIL RESOLUTION/S

11.08-11 MOVED Cr Robartson SECONDED Cr Lee

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

CARRIED 5/0

13.6 Provision of Asset Management Consultant Services

MOVED Cr Lee SECONDED Cr Smith

That Covaris be engaged for the provision of Asset Management Consultant Services.

Following a suggestion from the Chairman that the terms of engagement be clarified in the recommendation, the mover and seconder, Crs Lee and Smith, respectively, accepted an amendment to the recommendation; that following the word 'services'; the words "under the general conditions of contract expressed in the original Tender 2008/04, Provision of Asset Management Consultant Services" be added.

COUNCIL RESOLUTION/S

11.08-12 MOVED Cr Lee SECONDED Cr Smith

That Covaris be engaged for the provision of Asset Management Consultant Services under the general conditions of contract expressed in the original Tender 2008/04, Provision of Asset Management Consultant Services.

CARRIED 5/0

13.7 Green Waste Facility Business Plan – Best Energies Project Development

MOVED Cr Smith SECONDED Lee

That:

- 1) A new research project be initiated to conduct a feasibility study for the application of pyrolysis technology to the green waste facility and additional funding contributions be sought from other interested parties.**
- 2) The following budget amendment be adopted:**

Change to Account	Item	Amount
Increase A/C R + D	Pyrolysis of Greenwaste	\$ 33,000
Decrease A/C 56553	Front End Loader	\$(16,779)
Decrease A/C 56554	Bobcat	\$(39,665)
Increase A/C 56555	Dingo	\$ 12,890
Increase A/C 56636	Compost Turner	\$ 10,554

Cr Mason enquired if there was a full scale plant built, where the trial would be conducted and would it create an odour. The CEO advised that a substantial pilot plant is operational in NSW; the SMRC trial is to gauge if it can process the SMRC's greenwaste. Stage 1 of the trial would involve sending sample material to NSW to its pilot plant. The end product produced is a syngas similar to methane gas extracted from landfill, which has no odour. The pilot project report will identify whether the SMRC's greenwaste is suitable. From which the regional Council would consider the second phase of the project which is to build a Business Plan.

The Chairman accepted as a minor amendment, Cr Smith's suggestion that the words "Stage 1 of" be inserted at the start of the first recommendation.

COUNCIL RESOLUTION/S

11.08-13 MOVED Cr Smith SECONDED Cr Lee

That:

- 1) **Stage 1 of a new research project be initiated to conduct a feasibility study for the application of pyrolysis technology to the green waste facility and additional funding contributions be sought from other interested parties.**
- 2) **The following budget amendment be adopted:**

Change to Account	Item	Amount
Increase A/C R + D	Pyrolysis of Greenwaste	\$ 33,000
Decrease A/C 56553	Front End Loader	\$(16,779)
Decrease A/C 56554	Bobcat	\$(39,665)
Increase A/C 56555	Dingo	\$ 12,890
Increase A/C 56636	Compost Turner	\$ 10,554

CARRIED 5/0

13.8 Climate-Wise – Green Precincts Funds

COUNCIL RESOLUTION/S

11.08-14 MOVED Cr Smith SECONDED Cr Robartson

That SMRC's participation in the Green Precincts Grant Application with the Department of Planning and Infrastructure be endorsed.

CARRIED 5/0

13.9 Meeting Dates for Council Meetings for 2009

COUNCIL RESOLUTION/S

11.08-15 MOVED Cr Robartson SECONDED Cr Smith

That the Ordinary Meetings of the Regional Council meeting dates, times and venues for the year 2009 as proposed, be adopted and advertised accordingly.

Ordinary Council Meeting Date	Venue	Meeting Time Commencement
Thurs 26 February 2009	Town of East Fremantle	5.00pm
Thurs 23 April 2009	City of Fremantle	5.00pm
Thurs 28 May 2009	Town of Kwinana	5.00pm
Thurs 25 June 2009	City of Melville	5.00pm
Thurs 23 July 2009	City of Rockingham	5.00pm
Thurs 24 September 2009	City of Canning	5.00pm
Thurs 26 November 2009	City of Cockburn	5.00pm

CARRIED 5/0

13.10 Meeting with City of Canning Council

COUNCIL RESOLUTION/S

11.08-16 Moved Cr Thompson SECONDED Cr Smith

That Standing Orders be suspended for the purpose of discussing dates that Councillors will be available for a meeting with the City of Canning.

CARRIED 5/0

At 5.50pm, Standing Orders were suspended.

Discussion ensued regarding SMRC Councillors' availability for the dates put forward by the City of Canning to meet with the SMRC.

COUNCIL RESOLUTION/S

11.08-17 Moved Cr Smith SECONDED Cr Lee

That Standing Orders be resumed.

CARRIED 5/0

At 5.55pm, Standing Orders were resumed.

COUNCIL RESOLUTION/S

11.08-18 MOVED Cr Smith SECONDED Cr Lee

That the CEO advise the City of Canning that SMRC Council is available on the Thursday 18 December 2008 to attend a meeting between the Council of the City of Canning and SMRC.

CARRIED 5/0

13.11 Information Bulletin

COUNCIL RESOLUTION/S

11.08-19 MOVED Cr Smith SECONDED Cr Mason

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

CARRIED 5/0

14. Reports of Committees

14.1 Minutes of RRRC Reference Group Meeting 30 October 2008

The Chairman requested that it be placed on record that Mr Chuck Ellis, Manager Communication (about whom comments were made by a member of the public under item 5 of this agenda), was in the Chairman's view an excellent officer who performed his duties and conducted himself very well and under difficult circumstances, and the comments from the member of the public did not reflect Mr Ellis' performance of his duties.

COUNCIL RESOLUTION/S

11.08-20 MOVED Cr Robartson SECONDED Cr Smith

That the Minutes of the RRRC Reference Group meeting, held on 30 October 2008 at the SMRC, be received.

CARRIED 5/0

14.2 Minutes of Public Relations Meeting 17 November 2008

At the invitation of the Chairman, the Chief Executive Officer briefed the Council on the current status of SMRC's public relation's campaign.

COUNCIL RESOLUTION/S

11.08-21 **MOVED** Cr Lee **SECONDED** Cr Robartson

That the Minutes of the SMRC Public Relations Committee meeting, held on 17 November 2008 at the SMRC, be received with the following amendments:

- (i) Cr Sandra Lee be added as an apology for the meeting.
- (ii) Mayor Stephen Lee's apology be noted is for a Leave of Absence.

CARRIED 5/0

14.3 Minutes of the Audit Committee 21 November 2008

The following recommendations from the Audit Committee meeting held on 21 November were considered by Council.

5.1 Auditor's Report and Financial Statements for the Year Ended 30 June 2008

1. The Auditor's report for the Year ended 30 June 2008 and the qualification opinion in the report received from UHY Haines Norton be received.
2. Review accounting treatments for Borrowing Contributions as an operating income to offset depreciation.

5.2 Confidential Report On The Impact Of The Global Financial Crisis

3. That the confidential report on the impact of the global financial market on the SMRC be noted.
4. That the RRRC Project Participants be advised that the MRF discount will not be paid until the SMRC has declared a surplus financial position after the 30 June 2009.
5. That the RRRC gate fees be reviewed to reflect commercial rates and methodology to discount fee.

5.3 Policy Review – Audit Committee

1. The SMRC's "Audit Committee" policy as amended and presented to the Audit Committee at its meeting dated 21 November 2008 be adopted.
2. Mr Philip Draber be appointed to the SMRC's Audit Committee as an external member for a two year term ending 28 November 2010.

5.4 SMRC Cash Investment Portfolio for the Period Ended 30 October 2008

The SMRC Cash Investment Portfolio as at 31 October 2008 be received.

5.5 SMRC Risk Management Plan

That:

1. The SMRC Risk Register, Treatment Plan and current status for risks 15 and higher provided with the agenda be amended as follows:
 - (i) Under the Current Risk Register for Business Development Ref BD02 'Commodity price collapse (in medium to longer term) due to decline in global demand', the 'Adequacy of Existing Controls' be amended from 'Inadequate' to 'Adequate'; and

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- (ii) Under the Treatment Schedule for Business Development Ref BD02 'Commodity price collapse (in medium to longer term) due to decline in global demand', the 'timetable for completion' be amended from 'Inplace' to 'Not Complete'.
2. The SMRC Risk Register, Treatment Plan and current status for risks 15 and higher be noted and received as amended in (1) above.

MOVED Cr Robartson

SECONDED Cr Lee

The SMRC Audit Committee recommendations 5.1 to and 5.5 as presented in the minutes of the Audit Committee meeting held on 21 November 2008 be adopted.

Discussion ensued concerning Audit Committee Item 5.2 as recommendations 1 and 2 had been considered and resolved by Council earlier in this agenda under Confidential Item 11.1

COUNCIL RESOLUTION/S

11.08-22 MOVED Cr Mason SECONDED Cr Lee

That the recommendation be amended and the words "5.1 to 5.5" be deleted and the words "5.1, 5.2(3), 5.3, 5.4 and 5.5" be inserted so the recommendation be as follows;

The SMRC Audit Committee recommendations 5.1, 5.2(3), 5.3, 5.4 and 5.5 as presented in the minutes of the Audit Committee meeting held on 21 November 2008 be adopted.

AMENDMENT CARRIED 5/0

COUNCIL RESOLUTION/S

11.08-23 MOVED Cr Robartson SECONDED Cr Lee

The SMRC Audit Committee recommendations 5.1, 5.2(3), 5.3, 5.4 and 5.5 as presented in the minutes of the Audit Committee meeting held on 21 November 2008 be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

14.4 Minutes of the SMRC REC Selection Committee Meeting Held 25 September 2008

The Chairman advised that Item 14.4 had been withdrawn as the latest Committee discussion is provided in Item 14.5, 'Minutes of the SMRC REC Selection Committee Meeting Held 24 November 2008'.

14.5 Minutes of the SMRC REC Selection Committee Meeting Held 24 November 2008

The Council considered recommendations from the REC Selection Committee meeting held 24 November 2008.

5.1 Selection of External Member to the REC Committee

That Mr Paul Finn be appointed as the external member on the Regional Executive Committee for a one year term expiring 30 November 2009.

5.2 Selection of Council Officer Member to the REC Committee

The following persons be appointed as members and deputy members on the Regional Executive Committee for the years 2008/09 and 2009/10:

Members:

Mr Steven Atwell	City of Canning
Mr Michael Littleton	City of Cockburn
Mr Stuart Wearne	Town of East Fremantle
Mr Glen Dougall	City of Fremantle
Mr Peter McKenzie	Town of Kwinana

Mr John Christie City of Melville
Mr Stewart Marshall City of Rockingham
Mr Stuart McAll SMRC

Deputy Members:

Mr Andrew Sharpe City of Canning
Mr Stuart Downing City of Cockburn
Mr John Roberts Town of East Fremantle
Mr Maurice Ferialdi Town of Kwinana
Mr Marten Tieleman City of Melville
Mr Graham Rose City of Rockingham

COUNCIL RESOLUTION/S

11.08-24 MOVED Cr Robartson SECONDED Cr Smith

That Mr Paul Finn be appointed as the external member on the Regional Executive Committee for a one year term expiring 30 November 2009.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

COUNCIL RESOLUTION/S

11.08-25 MOVED Cr Robartson SECONDED Cr Lee

The following persons be appointed as members and deputy members on the Regional Executive Committee for the years 2008/09 and 2009/10:

Members:

**Mr Steven Atwell City of Canning
Mr Michael Littleton City of Cockburn
Mr Stuart Wearne Town of East Fremantle
Mr Glen Dougall City of Fremantle
Mr Peter McKenzie Town of Kwinana
Mr John Christie City of Melville
Mr Stewart Marshall City of Rockingham
Mr Stuart McAll SMRC**

Deputy Members:

**Mr Andrew Sharpe City of Canning
Mr Stuart Downing City of Cockburn
Mr John Roberts Town of East Fremantle
Mr Maurice Ferialdi Town of Kwinana
Mr Marten Tieleman City of Melville
Mr Graham Rose City of Rockingham**

CARRIED BY AN ABSOLUTE MAJORITY 5/0

15. Reports of Delegates and Representatives Meetings

Nil

16. Announcements by the Chairman or Person Presiding without Discussion

16.1 Mayor Charlie Gregorini

The Chairman advised that sadly the City of Swan Mayor, Cr Charlie Gregorini had passed away on the weekend.

COUNCIL RESOLUTION/S

11.08-26 MOVED Cr Robartson SECONDED Cr Lee

That condolences be extended to the City of Swan Councillors, staff and family on the passing of their Mayor, Cr Charlie Gregorini.

CARRIED 5/0

16.2 Chairman's Meeting with Premier

The Chairman reported that on 28 November 2008, he would be meeting with the Premier, Hon Colin Barnett MLA and seeking his support and direction in regard to the current situation of SMRC's RRRC facility.

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 Cr Phil Edman

Cr Smith advised that Cr Phil Edman, currently a Councillor at the City of Rockingham would become a member of the Legislative Council in May 2009 and would be interested to visit the SMRC's RRRC facility.

The Chief Executive Officer advised that he would write to Cr Edman to invite him to tour the RRRC facility.

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

Nil

20. Future Meetings of Council

2009 Calendar of Meetings was considered under item 13.9 of this agenda.

21. Declaration of Closure of Meeting

The Chairman extended season greetings to all present.

There being no further business, the Chairman declared the meeting closed at 6.36pm.

I hereby certify that the Minutes of the Ordinary Meeting of Council held on 27 November 2008 were confirmed on 26 February 2009

Cr Doug Thompson, Chairman



Signed _____

Dated 26 February 2009