



**Minutes of the Meeting of the
Southern Metropolitan Regional Council
held at the Regional Resource Recovery Centre (RRRC)
350 Bannister Rd Canning Vale
on Thursday 28 May 2009
Commencing at 5.06pm**

1. Declaration of Opening / Announcement of Visitors

The Chairman welcomed members and declared the meeting open at 5.06pm

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

Present:

Cr Doug Thompson (Chairman)	City of Fremantle
Cr Clive Robartson OAM (Deputy Chairman)	City of Melville
Cr Graham Barry	City of Canning
Cr Tony Romano	City of Cockburn
Cr Sandra Lee	Town of Kwinana
Deputy Mayor Richard Smith	City of Rockingham
Mr Glen Dougall	City of Fremantle
Mr Graham Rose	City of Rockingham
Mr John Christie	City of Melville
Mr Mark Dacombe	City of Canning
Mr Michael Littleton	City of Cockburn
Mr Peter McKenzie	Town of Kwinana
Mr Stuart McAll	SMRC – Chief Executive Officer
Mr Chris Wiggins	SMRC – Manager Administration & Finance
Mr Brendan Doherty	SMRC – Manager Engineering Services
Mr Chuck Ellis	SMRC – Manager Communications
Mr Tim Youé	SMRC – Manager Business Development
Ms Lee Harris (5.09pm)	SMRC – Executive Assistant to CEO - Minutes

Apologies

Mayor Alan Ferris	Town of East Fremantle
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Observer

Mr Andrew Sharpe	City of Canning
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3. Disclosure of Interests

Nil

4. Response to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

Nil

6. Petitions / Deputations / Presentations

Nil

The Chairman recommended that items 7.1 and 7.2 be moved en bloc unless members wished to consider separately.

COUNCIL RESOLUTION/S

05/09-01 MOVED Cr Lee

SECONDED Cr Robartson

That items 7.1 and 7.2 be carried 'en bloc' as a resolution of the Regional Council

CARRIED 6/0

7. Confirmation of Minutes of Previous Meetings

That the CEO recommendation was carried 'en bloc' and recorded in the minutes at the commencement of report 7 in the Agenda

7.1 That the Minutes of the meeting of the Southern Metropolitan Regional Council held on 23 April 2009 be received as a true and accurate record

7.2 That the Minutes of the special meeting of the Southern Metropolitan Regional Council held on 5 May 2009 be received as a true and accurate record

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

Nil

9. Business Not Dealt with from a Previous Meeting

Nil

10. REPORTS OF THE CEO

The Chairman recommended that items 10.3; 10.5; 10.9; 10.10; 10.11 and 10.13 be moved en bloc unless members wished to consider separately.

COUNCIL RESOLUTION/S

05/09-02

MOVED Cr Robartson

SECONDED Cr Romano

That items 10.3; 10.5; 10.9; 10.10; 10.11 and 10.13 be moved 'en bloc' as a resolution of the Regional Council

CARRIED 6/0

10.1 Southern Metropolitan Regional Council Standing Orders Local Law 2009

Cr Barry put forward an amendment to the recommendation that where the Standing Orders refer to "The Act", administration regulations, code of conduct or any like statutory legislation they/it should be followed by the clause and section of the Act or Legislation to which they relate. Mr Wiggins advised that a detailed version of the Standing Orders does contain footnotes to address this matter and would be distributed to members

COUNCIL RESOLUTION

05/09-03

MOVED Cr Barry

SECONDED Cr Romano

1) That the following proposed amendments to the Southern Metropolitan Regional Council Standing Orders Local Law 2008 be received and advertised in accordance with section 3.12 of the Local Government Act 1995 and

- a)
1. (a) Clause 3.1(1) is amended by adding the following new paragraph immediately after paragraph (l);

“(la) questions by members of which due notice has been given;”

(b) A new clause 3.12A is inserted as follows;

“3.12A Questions by members of which due notice has been given”.

 - (1) “A question on notice is to be given by a member in writing to the CEO at least 4 working days before the meeting at which it is raised.
 - (2) If the question referred to in subclause (1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at the meeting.
 - (3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the presiding person.”
- b) Clause 3.11 is deleted and the following clause is inserted immediately after clause 3.4:
- “3.4A Announcements by a presiding person
- (1) At any meeting of the Council the presiding person may announce or raise any matter of interest or relevance to the business of the Council, or propose a change to the order of business.
 - (2) Any member may move that a change in order of business proposed by the presiding person not be accepted and, if carried by a majority of the members present, the proposed change in order is not to take place.”
- c) Clause 4.9 is deleted.
- d) Clause 4.11 is deleted.
- e) Clause 4.14(3) is amended by deleting the words “and must be accepted by the meeting without argument or comment”.
- f) Clause 4.15(3) is amended by deleting the words “that meeting” and substituting “the item under discussion”.
- g) Clause 5.9(3) is deleted.
- h) A copy of the proposed amendments to the Local Law be provided to the Minister for Local Government.
- i) That the Regional Council agree that the above amendments to the SMRC Standing Orders Local Law 2008 shall apply as an interim measure until it is published in the Government Gazette.
- 2) That where the Standing Orders state “The Act” or “Legislation” that the relevant section / clause is to be quoted.

CARRIED 6/0

10.2 Appointment of Member to the Regional Executive Committee

COUNCIL RESOLUTION/S

05/09-04

MOVED Cr Smith

SECONDED Cr Lee

That Mr Mark Dacombe (CEO of the City of Canning) be appointed as a member to the SMRC's Regional Executive Committee for a term expiring the 30th June 2010

CARRIED BY ABSOLUTE MAJORITY 6/0

10.3 Review of Four (4) SMRC Policies

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

That the following policies with amendments, as attached to Report Item 10.3 dated 22 May 2009, be adopted.

1. Policy No. 1.1 Policy Development & Procedures
2. Policy No. 1.3 Acknowledgement of Service (Regional Councillors)
3. Policy No. 1.5 Conference & Industry Events Attendance
4. Policy No. 4.1 Environment Policy – Waste Management

CARRIED 6/0

10.4 Environmental Protection Notice Report Submission

The CEO advised the report would be made available to Councillors on a CD-Rom due to the size of the documents.

COUNCIL RESOLUTION/S

05/09-05

MOVED Cr Lee

SECONDED Cr Robartson

That the works as detailed in Report Item 10.4 dated 13 May 2009 be endorsed and considered in the 2009/10 draft annual budget.

CARRIED 6/0

10.5 National Waste Policy 'Managing Waste to 2020' Consultation Paper

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

1. The SMRC's submission to the National Waste Policy: Managing Waste to 2020 Consultation Paper be received.
2. Council endorse the actions of the CEO in submitting a response to the National Waste Policy: Managing Waste to 2020 Consultation Paper.

CARRIED 6/0

10.6 Risk Treatment: Recyclables Diversion Procedure

Cr Robartson moved an amendment to the motion requesting that the Waste Authority and Government be made aware of the SMRC's concern of limited recycling facilities to process the States domestic recyclables and in view of the increasing waste level what immediate remedial action will be taken.

AMENDED RESOLUTION

05/09-06 MOVED Cr Robartson

SECONDED Cr Smith

That part 2 of the CEO recommendation includes "That the Waste Authority be advised of the SMRC's concern of limited recycling capacity/facilities and request proposed action".

CARRIED 6/0

COUNCIL RESOLUTION/S

05/09-07 MOVED Cr Robartson

SECONDED Cr Smith

1. 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. 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 one day's production.
2. That the Waste Authority be advised of the SMRC's concern of limited recycling capacity/facilities and request proposed action.

CARRIED 6/0

10.7 Rejection procedure for contaminated deliveries of recyclables processed at the SMRC's Materials Recovery Facility (MRF)

In response to questions raised by members, the CEO advised that some Member Councils were delivering commercial recyclables mixed with household and loads were contaminated with non- recyclable material causing health & safety concerns and additional costs for the SMRC. Councils were requested to ensure its commercial customers are only disposing approved recyclable material.

COUNCIL RESOLUTION/S

05/09-08 MOVED Cr Lee

SECONDED Cr Robartson

1. That Council adopts the introduction of the following six month trial procedure commencing 1 June 2009 to 1 November 2009 to recover the cost for processing contaminated loads of recyclables delivered to the Material Recovery Facility.
 - a. Councils verify their commercial customer's commitment to placing only household type recyclables in the yellow top bin.
 - b. The SMRC follow Standard Operating Procedure (SOP) 027.1 for load assessment and rejection. (attached)
 - c. A standard load rejection fee of \$200 excl GST be levied for part load contamination that is removed at the time of inspection.
 - d. The SMRC levy a cost recovery fee for full load rejections that require sending to landfill eg contamination by medical waste. Cost recovery to be based on labour, transport and tip fee.
 - e. Details of rejected loads be included in the monthly operations report to Council

CARRIED BY ABSOLUTE MAJORITY 5/1

10.8 Tender T2009-06 Purchase and Removal of Recovered Recyclables

The Chairman advised that a report dated 26 May 2009 was distributed under separate cover.

COUNCIL RESOLUTION/S

04/09-09 MOVED Cr Lee

SECONDED Cr Robartson

That the Council award the tendered prices detailed and recommended in the report in accordance with the terms and conditions of tendering to the following tenderers:

- a. SMRC Cardboard to - Paper to Paper International Pty.Ltd
- b. Aluminium & Steel Cans - to Sims Metal
- c. Mixed Plastic, PET & HDPE to - Polytrade Pty Ltd

CARRIED 6/0

10.9 SMRC CASH INVESTMENT PORTFOLIO

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

That the SMRC Cash Investment Portfolio as at 30 April 2009 be received

10.10 Schedule of Accounts

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

- a) That the schedule of payments as listed in the attachments, amounting to the month of April 2009 of \$1,978,902.84 for the municipal fund, be received.
- b) The schedule of payments, as presented, be incorporated in the minutes of the meeting.

10.11 Financial Statement for the Period Ended 30 April 2009-06-03

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

That the Statement of Financial Activity by Business Units of the Southern Metropolitan Regional Council for the month ended 30 April 2009 be received.

10.12 Draft 2009/10 Annual Budget

COUNCIL RESOLUTION/S

04/09-10 MOVED Cr Romano

SECONDED Cr Barry

Discussion ensued on the proposed 2009/10 Capital Expenditure program for the RRRC and requested a further report on the breakdown of the \$2million capital to be funded from new loans. The CEO advised that the government had not yet confirmed the funding availability of the Recycling Recovery Rebate Scheme (RRRS).

Members enquired about the green waste processing and requested that the 2009/10 budget consider a contingency cost should this activity not continue. The Chairman agreed to an amendment to the CEO recommendation that Item 3 be included for a further report on a contingency fee to participants should the green waste facility be suspended.

- 1) That the Draft 2009/10 Annual Budget report and its proposed parameters dated 15 May 2009 be received.
- 2) A copy of the report be provided to member council for comment.
- 3) A further report be presented to Council on a contingency fee to participants should the green waste facility be suspended.

CARRIED 6/0

10.13 Regional Councillors Allowances 2009/10

COUNCIL RESOLUTION/S

That the recommendation was carried 'en bloc' and recorded in the minutes at the commencement of 10.

- 1) That the following annual allowances payable to regional elected members during 2009-2010 be considered in the 2009-2010 Annual Budget;
 - a) An annual fee in lieu of attendance sitting fees be paid as follows:

Chairman	\$14,000
Members	\$ 7,000
 - b) A local government annual allowance of \$10,000 be paid to the Chairman in addition to the annual fee payment.
 - c) A local government annual allowance of \$2,500 be paid to the Deputy Chairman (25% of Chairman's allowance) in addition to the annual fee payment.
 - d) An annual allowance of \$1,000 be paid to the Chairman and each member in lieu of reimbursement of information technology expenses.
 - e) Payment for annual fees and allowances be paid quarterly in the following months, i.e. Oct, Jan, April & June.
 - f) Where an annual fee in lieu of sitting fees is paid, the fee shall be reduced on a pro-rata basis for non-attendance of three cumulative ordinary council meetings, this includes leave of absence or non attendance for other reasons (except whilst on council business).

CARRIED 6/0

11 Announcements by the Chairman or Person Presiding without Discussion

The Chairman advised –

Nil

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

12.1 State Landfill Levy

COUNCIL RESOLUTION

05/09-11 MOVED Cr Robartson SECONDED Cr Barry

Cr Robartson's Notice of Motion was distributed to Members prior to the meeting. Following discussion the Chairman put the motion to the vote

That the Southern Metropolitan Regional Council express it's great concern at the lack of consultation and notice provided by the State Government in increasing the landfill levy by 300%. The lack of time to plan for this cost increase will cause considerable financial burden to local governments and the community. To this end

1. The SMRC strongly condemns the use of landfill levy funds for consolidated revenue purposes and requests that the State Government reconsider this position,
2. That the Government be reminded that at the time of the introduction of the levy, commitments were made to Local Government that amount of money used to administer the levy would be strictly limited (1 to 3%) and that a rebate scheme would be introduced to return funds to Local Government for materials diverted from landfill,
3. The SMRC recognises that this increase will assist with driving greater diversion of waste from landfill, however without the infrastructure or cost support for alternative waste processing systems, the impact of the increased landfill levy will be nullified,
4. The SMRC strongly supports that all funds raised by the landfill levy generated from domestic municipal waste streams and local governments be hypothecated back to Local Government to support recycling and resource recovery activities and the associated infrastructure. Without this support continued diversion of waste from landfill will be put in jeopardy as the levy increase also penalises resource recovery facilities,
5. The SMRC strongly supports an exemption from the landfill levy for all residual wastes from resource recovery facilities thus providing further incentive for the development of such facilities.
6. That the CEO write to all State Parliamentary Members (within the SMRC region) giving the SMRC position on the landfill levy and seek a meeting with the Premier and Minister for the environment, and
7. That WALGA initiate a media campaign to inform the community of this hidden cost increase to State Government revenue at a cost to ratepayers.

CARRIED 6/0

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

Nil

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

Nil

15. **Future Meetings of Council**

DATE 2009	VENUE
25 June	Town of Kwinana
23 July	City of Rockingham
24 September	City of Canning
26 November	City of Cockburn

The Chairman advised he would be an apology for the next meeting.

16. **Declaration of Closure of Meeting**

There being no further business, the Chairman declared the meeting closed at 6.01pm.