



Minutes of a Special Meeting of the
Southern Metropolitan Regional Council
held at the SMRC Boardroom
9 Aldous Place, Booragoon
on Thursday 11 June 2009
Commencing at 4:30pm

1. Declaration of Opening/Announcement of Visitors

The Chairman welcomed members and declared the meeting open at 4:30pm.

2. Record of Attendance/Apologies

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|--|------------------------|
| Cr Doug Thompson (<i>Chairman</i>) | City of Fremantle |
| Cr Clive Robartson, OAM (<i>Deputy Chairman</i>) | City of Melville |
| Cr Graham Barry | City of Canning |
| Mayor Alan Ferris | Town of East Fremantle |
| Cr Sandra Lee | Town of Kwinana |

In Attendance

| | |
|-------------------|---------------------------------|
| Mr Glen Dougall | City of Fremantle |
| Mr Peter McKenzie | Town of Kwinana |
| Mr John Christie | City of Melville |
| Mr Paul Finn | External Member REC |
| Mr Stuart McAll | SMRC, Chief Executive Officer |
| Mr Chris Wiggins | SMRC, Manager Admin & Finance |
| Mr Chuck Ellis | SMRC, Manager Communication |
| Mr Tim Youé | SMRC, Man. Business Development |

Apologies

| | |
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| Cr Tony Romano | City of Cockburn |
| Cr Richard Smith | City of Rockingham (<i>Deputy Mayor</i>) |

3. Disclosures of Interest

Nil

4. Public Question Time

Nil

5. Report of the CEO

5.1 Material Recovery Processing Contract

COUNCIL RESOLUTION

SM09/06-01 **MOVED:** Cr Robartson **SECONDED:** Cr Ferris

That the Standing Orders be suspended to discuss the item

CARRIED 5/0

The CEO tabled an amended confidential report no 5.1 dated 11 June 2009 at the meeting and responded to questions raised by members.

COUNCIL RESOLUTION

SM09/06-02 MOVED: Cr Robartson SECONDED: Cr Ferris

That the Standing Orders be resumed

CARRIED 5/0

CEO RECOMMENDATION/S

- 1) That the Regional Council is satisfied that it has good reason to believe that, because of the critical and essential nature of the service required, the time limitations to commence the service, the re-employment of existing employees it is unlikely that there is more than one potential supplier to deal with the service immediately and therefore will not call public tenders in accordance with regulation 11(2)(f) of the *Local Government (Functions and General) amendment Regulations 2007*.
- 2) That the Regional Council agree in principle with the confidential attachment titled "Draft Term Sheet" and advise Perth Engineering and Maintenance Pty Ltd they are the preferred candidate for the processing of recyclables and a report be presented back to the Regional Council.
- 3) That the Regional Council issue the Town of Kwinana and City of Rockingham a notice of "Force Majeure" in accordance with clause 4.2A of the Agreement relating to the Receipt of Recyclable Material.
- 4) That the Chief Executive Officer be given delegated authority to prepare and sign a variation to the Agreements relating to the receipt of recycling for the Town of Kwinana and City of Rockingham in consultation with the two local governments.

COUNCIL AMENDMENT

SM09/06-03 MOVED: Cr Ferris SECONDED: Cr Barry

- 1) That item 2 in the CEO recommendation be amended by substituting the following words after the word "recyclables". "and the CEO prepare a contract in accordance with the draft term sheet and report back to the Regional Council".

CARRIED 5/0

The Chairman put the motion with the amendment to the vote.

COUNCIL RESOLUTION

SM09/06-04 MOVED: Cr Robartson SECONDED: Cr Ferris

- 1) That the Regional Council is satisfied that it has good reason to believe that, because of the critical and essential nature of the service required, the time limitations to commence the service, the re-employment of existing employees it is unlikely that there is more than one potential supplier to deal with the service immediately and therefore will not call public tenders in accordance with regulation 11(2)(f) of the *Local Government (Functions and General) amendment Regulations 2007*.
- 2) That the Regional Council agree in principle with the confidential attachment titled "Draft Term Sheet" and advise Perth Engineering and Maintenance Pty Ltd they are the preferred candidate for the processing of recyclables and the CEO prepare a contract in accordance with the draft term sheet and report back to the Regional Council.
- 3) That the Regional Council issue the Town of Kwinana and City of Rockingham a notice of "Force Majeure" in accordance with clause 4.2A of the Agreement relating to the Receipt of Recyclable Material.

- 4) That the Chief Executive Officer be given delegated authority to prepare and sign a variation to the Agreements relating to the receipt of recycling for the Town of Kwinana and City of Rockingham in consultation with the two local governments.

CARRIED BY ABSOLUTE MAJORITY 5/0

6. Declaration of Closing of Meeting

The Chairman declared the meeting closed at 4:55pm

I hereby certify that the Minutes of the Special Meeting of Council held on 11 June 2009 were confirmed at the next Ordinary Meeting of Council held on _____-

Cr Doug Thompson, Chairman

Signed _____ Dated _____ 2009