



**MINUTES OF SPECIAL COUNCIL MEETING OF THE  
SOUTHERN METROPOLITAN REGIONAL COUNCIL  
HELD ON WEDNESDAY 14 OCTOBER 2015  
AT THE RRRC  
350 BANNISTER ROAD, CANNING VALE**

---

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chairman welcomed everyone in attendance and opened the meeting at 3.00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES**

**PRESENT**

Cr Cameron Schuster (Chair)	City of Melville
Cr Doug Thompson	City of Fremantle
Cr Michael McPhail	Town of East Fremantle
Mr Stuart Downing (REG Deputy)	City of Cockburn
Mr John Christie (REG Member)	City of Melville
Mr Marten Tieleman (REG Deputy)	City of Melville
Mr Tim Youé	SMRC, Chief Executive Officer
Mr Chris Wiggins	SMRC, Executive Manager Corporate Services
Mr Craig Yardley	SMRC, Executive Manager RRRC Operations
Ms Christine Burke	SMRC, Minutes

**APOLOGIES**

Cr Kevin Allen	City of Cockburn
Cr Sandra Lee	City of Kwinana

**3. DISCLOSURE OF INTERESTS: Nil**

**4. PUBLIC QUESTION TIME: Nil**

**5. DEPUTATIONS / PRESENTATION**

The Chairman announced that Items 5.1, 8.1 and 8.2 would be dealt with as confidential matters for which the meeting may be closed to the public in accordance with Section 5.23(2)(d) of the Local Government Act 1995 as it relates to legal advice. Item 8.1 would be discussed before Item 5.1.

**COUNCIL RESOLUTION**

**15.10.01                      MOVED CR D THOMPSON                      SECONDED CR M MCPHAIL**

**THAT ITEMS 5.1, 8.1 AND 8.2 BE HELD BEHIND CLOSED DOORS AND THAT ITEM 8.1 WOULD BE DISCUSSED BEFORE ITEM 5.1.**

**CARRIED 3/-**

**COUNCIL RESOLUTION**

**15.10.02                      MOVED CR M MCPHAIL                      SECONDED CR D THOMPSON**

**THAT STANDING ORDERS BE SUSPENDED.**

**CARRIED 3/-**

**8.      REPORTS OF THE CEO**

**8.1    ENVIRONMENTAL PROTECTION ACT NOTICE**

It was considered that a second clause be included in Resolution 8.1 to cover an alternative outcome at trial.

**5.1    MRF SALE – OVERVIEW OF TRANSACTION STRUCTURE, PRESENTED BY LEE ROSSETTO, MINTER ELLISON**

Mr Lee Rossetto from Minter Ellison presented the Overview of transactions for the MRF Sale and responded to questions.

**8.2    MATERIALS RECYCLING FACILITY (MRF) POTENTIAL SALE – BUSINESS PLAN**

**COUNCIL RESOLUTION**

**15.10.03                      MOVED CR M MCPHAIL                      SECONDED CR D THOMPSON**

**THAT STANDING ORDERS BE RESUMED.**

**CARRIED 3/-**

**COUNCIL RESOLUTION**

**15.10.04                      MOVED CR D THOMPSON                      SECONDED CR M MCPHAIL**

**THAT THE MEETING NO LONGER BE HELD BEHIND CLOSED DOORS.**

**CARRIED 3/-**

**8.1 ENVIRONMENTAL PROTECTION ACT NOTICE**

**AMENDMENT TO RESOLUTION 8.1**

**15.10.05                      MOVED CR D THOMPSON                      SECONDED CR M MCPHAIL**

THE CEO, IN CONSULTATION WITH THE CHAIR AND/OR DEPUTY CHAIR BE AUTHORISED TO NEGOTIATE AND ACCEPT A SETTLEMENT GIVEN ONE BE OFFERED.

**CARRIED 3/-**

**COUNCIL RESOLUTION**

**15.10.06                      MOVED CR D THOMPSON                      SECONDED CR M MCPHAIL**

THAT THE SMRC MAINTAIN ITS PLEA OF NOT GUILTY TO THE ALLEGED OFFENCE AND THE CEO IS DIRECTED TO INSTRUCT ITS LAWYERS TO PROCEED TO DEFEND THE MATTER AT TRIAL.

THE CEO IN CONSULTATION WITH THE CHAIR AND/OR DEPUTY CHAIR BE AUTHORISED TO NEGOTIATE AND ACCEPT A SETTLEMENT GIVEN ONE BE OFFERED.

**CARRIED 3/-**

**8.2 MATERIALS RECYCLING FACILITY (MRF) POTENTIAL SALE – BUSINESS PLAN**

**COUNCIL RESOLUTION**

**15.10.07                      MOVED CR D THOMPSON                      SECONDED CR M MCPHAIL**

THE MAJOR TRADING UNDERTAKING AND MAJOR LAND TRANSACTION BUSINESS PLAN DATED AUGUST 2015 FOR THE DISPOSAL BY TENDER OF THE MATERIALS RECOVERY FACILITY BE ADOPTED.

**CARRIED BY ABSOLUTE MAJORITY 3/-**

**6. ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING PERSON - Nil**

**7. ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

Raised and discussed at Item 5.

**9. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN: Nil**

**10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN: Nil**

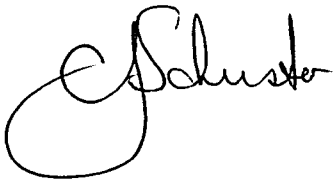
**11. DECLARATION OF CLOSURE OF MEETING**

The Chairman thanked Mr Rossetto from Minter Ellison for his presentation.

The Chairman extended his thanks to Mr Youé and his staff for the work done over the past two years and wished the team well for the future. He also thanked the elected members, REG and Deputy REG members for their consolidated efforts, working on all fronts with the SMRC, and expressed his pleasure of leading the SMRC. Cr Schuster advised that he would be seeking City of Melville re-appointment to the SMRC.

The meeting was declared closed at 3.54pm.

**I hereby certify that the Minutes of the Special Council Meeting held on 14 October 2015 were confirmed at the Ordinary Meeting of Council on 29 October 2015**

A handwritten signature in black ink, appearing to read 'C Schuster', with a large, stylized loop at the beginning.

**Cr Cameron Schuster, Chairman**