



**Minutes of a Special Meeting of the
Southern Metropolitan Regional Council
held at the SMRC Boardroom
9 Aldous Place, Booragoon
On Thursday 29 October 2009
Commencing at 4:00pm**

1. Declaration of Opening/Announcement of Visitors

Due to the election of the SMRC Chairman, the Chief Executive Officer, Mr McAll took the chair and welcomed members and declared the meeting open at 4:10pm. He advised that Cr Richard Olson, Town of East Fremantle was sworn in as Regional Councillor prior to the commencement of the meeting.

2. Record of Attendance/Apologies

Cr Tony Romano (Chairman)	City of Cockburn
Cr Richard Smith (Deputy Chairman)	City of Rockingham
Cr Graham Barry	City of Canning
Cr Richard Olson	Town of East Fremantle
Cr Doug Thompson	City of Fremantle
Cr Sandra Lee (from 4:20pm)	Town of Kwinana
Cr Clive Robartson, OAM	City of Melville

In Attendance

Mr Charles Sullivan	City of Canning
Mr Michael Littleton	City of Cockburn
Mr Peter Pikor	City of Fremantle
Mr John Christie	City of Melville
Mr Graham Rose	City of Rockingham
Mr Stuart McAll	SMRC, Chief Executive Officer
Mr Chris Wiggins	SMRC, Manager Admin & Finance (Minutes)
Mr Chuck Ellis	SMRC, Manager Communications
Mr Tim Youe	SMRC, Manager Business Development

Apologies

Nil

3. Election of Chairperson

The Chief Executive Officer advised that he had received a written nomination prior to the meeting from Cr Tony Romano and called for any other nominations. As no other nominations were received, the Chief Executive Officer declared Cr Tony Romano as Chairman for a term expiring May 2011 in accordance with the SMRC's Establishment Agreement.

The Chairman, Cr Romano, took the chair.

Cr Robartson requested that his personal comments be noted supporting his appreciation to Cr Thompson as Chairman over the past four years. The Chairman ruled that Cr

Robertson's comments be noted in the minutes and members endorsed the comments made. Cr Thompson thanked members for their support during his Chairmanship.

The Chief Executive Officer advised that he had received a written nomination prior to the meeting from Cr Sandra Lee for Deputy Chairperson. The CEO advised that due to work commitments Cr Lee will be attending the meeting at 4:30pm and requested the election of Deputy Chairperson be held over until she was present at the meeting. The Chairman agreed and announced that the order of business be changed for the Election of Deputy Chairperson, until Cr Lee is present at the meeting.

4. Disclosures of Interest

Nil

5. Public Question Time

Nil

6. Reports of the CEO

6.1 - 5.2 Financial Evaluation of the Options for the Future of the Materials Recovery Facility.

The CEO responded to questions raised from members relating to time frames for preparing a business plan. With the acceptance of the mover and seconder, the words "by February 2010" be inserted in point 3 after the word "prepared".

Cr Lee entered the meeting at 4:20pm

COUNCIL RESOLUTION

SM09/10-1 MOVED: Cr Barry SECONDED: Cr Robertson

- 1) That on the basis of the financial and qualitative analysis, the preferred option for the SMRC is option 1 – to rebuild the Material Recovery Facility at its original location in the RRRC Canning Vale, subject to the Regional Council's approval of the revised business plan as outlined in recommendation 3.**
- 2) That Council recognises the cost implications for time delays and therefore authorises the Chief Executive Officer to complete the planning approval process for option 1 and prepare tender documentation and call public tenders for consideration by the Regional Council.**
- 3) That a revised business plan be prepared by February 2010 based on option 1 for consideration by the Regional Council taking into account the following points.**
 - a) A critical path analysis of the rebuilding of the MRF at the RRRC be prepared**
 - b) Review of the SMRC technical and management capability to operate the facility**
 - c) Financial sensitivity analysis for the impact of the loss of customers (Kwinana, Rockingham and Canning) and customer marketing planning showing worst case, best case and most likely case**
 - d) Review of the impact of the proposed CPRS and future landfill levy increases**
 - e) Impact of the possible implementation of container deposit legislation.**
 - f) Financial sensitivity evaluation of commodity prices showing the impact of worse, best and most likely case**
 - g) Identification of significant project risks with the appropriate risk treatments.**

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6.2 Election of Deputy Chairperson

The Chairman announced that the order of business be amended to consider the election of Deputy Chairperson at this point in the meeting. The Chairman called for nominations and advised that he has received two nominations. Cr Sandra Lee and Cr Richard Smith. Members conducted a secret vote which declared Cr Richard Smith elected as Deputy Chairman.

6.3 - 5.3 Adopt Amendments to the SMRC Standing Orders Local Law 2008.

Cr Barry enquired if the Standing Orders could be changed to allow the automatic recording of names for all voting as practiced by City of Canning, rather than as stated in the Standing Orders under clause 2.8(1) which follows the Local Government Act requirements under section 5.21(4) where a member specifically requests the name(s) be recorded. The Manager Administration & Finance advised that any amendments may require a further public advertising process and legal and Department of Local Government consideration. Cr Barry foreshadowed that he may submit a members motion with notice to deal with the matter at a future meeting.

COUNCIL RESOLUTION

SM09/10-2 MOVED: Cr Robartson SECONDED: Cr Thompson

- 1) That the following Southern Metropolitan Regional Council Standing Orders Amendment Local Law 2009 be adopted in accordance with section 3.12 of the Local Government Act 1995.**

**LOCAL GOVERNMENT ACT 1995
Southern Metropolitan Regional Council
Standing Orders Amendment Local Law 2009**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it the Council of the Southern Metropolitan Regional Council resolved on the 29 October 2009 to adopt the following local law.

1. Citation

This local law is the *Southern Metropolitan Regional Council Standing Orders Amendment Local Law 2009*.

2. Commencement

This Local Law comes into operation 14 days after the date of publication in the *Government Gazette*.

3. Principal local law amended

The *Southern Metropolitan Regional Council Standing Orders Local Law 2008* is referred to as the principal local law. The principal local law is amended.

4. Clause 3.1(1) amended

- (1) After paragraph (e), insert:**

(ea) announcements by the Chairman or the presiding person;

- (2) Delete paragraph (k), re-designate paragraph "(l)" to "(k)" and insert:**

(l) questions by members' of which due notice has been given;

5. Clause 3.11 amended

Delete clause 3.11 and its heading

6. New clause 3.5 inserted

After clause 3.4, insert new clause:

3.5 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.

And clause numbers "3.5" through to "3.6" are re-designated "3.6" through to "3.11".

7. New clause 3.13 inserted

Before clause 3.14, insert:

3.13 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.

8. Clause 4.9 and 4.11 amended

Delete clauses 4.9 and 4.11 and their headings

9. Clause 4.14 amended

In subclause (3), delete "and must be accepted by the meeting without argument of comment".

10. Clause 4.15 amended

In subclause (3), delete "that meeting" and substitute with "the item under discussion".

11. Clause 5.9 amended

Delete subclause (3).

12. Clause re-numbering

Clause numbers are re-designated as follows.

- 1) "4.10" is re-designated "4.9"
- 2) "4.12" is re-designated "4.10"
- 3) "4.13" through to "4.17" are re-designated "4.11" through to "4.15".

13. Content page amended

Clause numbers and their headings are amended accordingly.

Dated: _____ 2009

The Common Seal of the Southern Metropolitan Regional Council was affixed by authority of a resolution of the Council in the presence of;

Cr. TONY ROMANO, Chairman

Mr. STUART McALL, Chief Executive Officer

- 2) That the Council affix the SMRC Common Seal to the adopted SMRC Standing Orders Amendment Local Law 2009.

The Chairman announced that report item **5.5 Proposed Warehouse Lease 9 Aldous Place, Booragoon** be brought forward for discussion at the request of Cr Smith who due to another meeting commitment would depart the meeting early.

6.3 - 5.5 Proposed Warehouse Lease 9 Aldous Place, Booragoon .

The CEO responded to questions from Cr Robartson and the Chairman.

7. Declaration of Closing of Meeting

The Chairman declared the meeting closed at 5:30pm