

SPECIAL COUNCIL MEETING MINUTES

Special Council Meeting

8 July 2014

A Special Meeting of Council was held in the Council Chamber, Sandgate Street, South Perth on Tuesday 8 July 2014.

The purpose of the meeting was to:

- Rivers Regional Council Tender – Receipt and Processing of Waste for Resource Recovery (Confidential)



CLIFF FREWING
CHIEF EXECUTIVE OFFICER
10 July 2014

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**
Council Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.
- **Minutes and Agendas**
As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.
- **Meet Your Council**
The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

www.southperth.wa.gov.au/Our-Council/

Contents

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2.	DISCLAIMER	4
3.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	4
3.1	AUDIO RECORDING OF COUNCIL MEETING	4
4.	ATTENDANCE	4
4.1	APOLOGIES	5
4.2	ABSENT	5
4.3	LEAVE OF ABSENCE	5
5.	DECLARATION OF INTEREST	5
6.	PUBLIC QUESTION TIME <i>(in relation to item 8)</i>	5
7.	DEPUTATIONS <i>(In relation to Item 8)</i>	5
8.	REPORTS	6
8.1	Rivers Regional Council Tender – Receipt and Processing of Waste for Resource Recovery (Confidential)	6
8.	CLOSURE	7
9.	RECORD OF VOTING	9

Special Council Meeting Minutes

Minutes of the Special Council Meeting held in the Council Chamber, Sandgate Street, South Perth
Monday 8 July 2014 at 5:30 pm.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 5.34 pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar / Bibbulmun people and that we honour them as the traditional custodians of this land.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

3.1 AUDIO RECORDING OF COUNCIL MEETING

The Mayor requested that all mobile phones be turned off or to silent. She then reported that the meeting is being audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.16 of the Standing Orders Local Law 2007 which states:

"A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member"

and stated that as Presiding Member she gave permission for the Administration to record proceedings of the Special Council meeting.

4. ATTENDANCE

Chair

Mayor Sue Doherty

Councillors

Cr C Cala	Manning Ward
Cr S Hawkins-Zeeb	Manning Ward
Cr G Cridland	Como Ward (arrived at 5.42 pm)
Cr V Lawrence	Como Ward
Cr M Huston	Mill Point Ward
Cr Trent, OAM, RFD	Moresby Ward
Cr F Reid	Moresby Ward

Officers

C Frewing	Chief Executive
M Taylor	Acting Director Infrastructure Services
Les Croxford	Manager Engineering Infrastructure
P McQue	Manager Governance and Administration
S Kent	Governance Officer (Minute Secretary)

Gallery

There were 2 members of the public and 0 members of the press present.

4.1 APOLOGIES

Cr C Irons	Mill Point Ward
M Kent	Director Financial and Information Services
V Lummer	Director Development and Community Services

4.2 ABSENT

Nil

4.3 LEAVE OF ABSENCE

Nil

5. DECLARATION OF INTEREST

Conflicts of Interest are dealt with in the Local Government Act, Rules of Conduct Regulations and the Administration Regulations as well as the City's Code of Conduct 2008. Members must declare to the Chairperson any potential conflict of interest they have in a matter on the Council Agenda.

- No Decarations were received.

6. PUBLIC QUESTION TIME (IN RELATION TO ITEM 8)

The Mayor stated that Public Question Time is operated in accordance with the *Local Government Act* regulations and the City's Standing Orders Local Law. She also stated that questions are to be in writing and questions received prior to this meeting will be answered tonight, if possible or alternatively may be taken on notice. Questions received in advance of the meeting will be dealt with first.

The Mayor then opened Public Question Time at 5.36 pm.

- Mr Geoff Defrenne of 24 Kennard Street, Kensington

A copy of the answers provided to Mr Defrenne can be found at **Appendix A**.

With no further questions the Mayor closed Public Question Time at 5.39 pm.

7. DEPUTATIONS (IN RELATION TO ITEM 8)

No Deputations were received.

Note: A Deputation was received from Mr Geoff Defrenne of 25 Kennard Street, Kensington after the deadline of 12.00 pm Tuesday 8 July 2014, at 4.03 pm. The Deputation will be heard at the Special Council Meeting of Monday 14 July 2014 at 5.30 pm.

8. REPORTS

8.1 Rivers Regional Council Tender – Receipt and Processing of Waste for Resource Recovery (**Confidential**)

Location: City of South Perth
Applicant: Council
Date: Wednesday 03 July 2014
Author: Les Croxford, Manager Engineering Infrastructure
Reporting Officer: Mark Taylor, Acting Director Infrastructure Services

This report is **confidential** in accordance with Section 5.23(2)(c)(e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(e) a matter that if disclosed, would reveal —

(i) a trade secret; or

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.

Mayor Sue Doherty MOVED that the meeting be closed to the public.

COUNCIL DECISION

Mover Cr Trent

Seconded Cr Reid

That Council Close the meeting to the public for the purposes of confidential discussion and voting on the Item.

CARRIED 7/0

The Mayor declared the meeting closed at 5.41 pm and asked the members of the Gallery to vacate the Chamber until discussion and voting was complete.

Note: Cr G Cridland arrived at 5.42 pm during discussion of this Item.

Mayor Sue Doherty MOVED to adopt the Officer Recommendation.

OFFICER RECOMMENDATION / COUNCIL DECISION

Mover Cr Trent

Seconded Cr Cala

That Council:

1. Notes the recommendation of the Rivers Regional Council 19 June 2014, RRC with regard to Tender 2013/1 - Receipt and Processing of Waste for Resource Recovery;
2. Advises the Rivers Regional Council its willingness to enter in to the Services Agreement and Participants Agreement on the basis of the Services Agreement being awarded to the preferred tenderer; and
3. Confirms the tonnages to be delivered to the proposed waste plant be 12,000 tonnes of committed waste and 8,000 tonnes of optional waste for the proposed 20 year term of the agreement plus the two optional 5 year terms.

CARRIED 8/0

Mayor Sue Doherty MOVED to re-open the meeting.

COUNCIL DECISION

Mover Cr Hawkins-Zeeb
Second Cr Huston

That Council re-open the meeting to the public.

CARRIED 8/0

At 5.50 pm the Mayor invited the member of the Gallery to return at which time the Minute Secretary read aloud the Council Decision for Item 8.1 *Rivers Regional Council Tender – Receipt and Processing of Waste for Resource Recovery*.

8. CLOSURE

The Mayor closed the meeting at 5.51 pm.

DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These unconfirmed Minutes will be confirmed at the Ordinary Council Meeting of 22 July 2014.

Signed _____
Chairperson at the meeting at which the Minutes were confirmed.

9. RECORD OF VOTING

8/07/2014 5:39:46 PM

Motion Passed 7/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Veronica Lawrance, Cr Michael Huston, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Glenn Cridland, Cr Cheryle Irons

8/07/2014 5:48:21 PM

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Glenn Cridland, Cr Veronica Lawrance, Cr Michael Huston, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Cheryle Irons

8/07/2014 5:48:44 PM

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Colin Cala, Cr Sharron Hawkins Zeeb, Cr Glenn Cridland, Cr Veronica Lawrance, Cr Michael Huston, Cr Kevin Trent, Cr Fiona Reid

Absent: Cr Cheryle Irons

6. PUBLIC QUESTION TIME: 8 JULY 2014 SPECIAL COUNCIL MEETING

APPENDIX A

1. Mr Geoff Defrenne of 24 Kennard Street, Kensington Received enquiries: 8 July 2014	Responses provided by: Cliff Frewing, Chief Executive Officer and Mark Taylor, Acting Director Infrastructure Services
<p>[Preamble] I note with interest the very limited information regarding tonight's agenda item.</p>	
<p>1. Why is the agenda item so confidential that no information can be released?</p>	<p>Because it relates to matters that are commercial in confidence relating to contractual matters</p>
<p>2. Is the council being open and accountable by not releasing any information regarding the tender?</p>	<p>Yes because it is complying with the requirements of the act relating to matters that are commercial in confidence.</p>
<p>3. Has the government announced any proposed changes to the Rivers Regional Council?</p>	<p>No</p>
<p>4. Is it anticipated that the Rivers Regional council will continue in its current form after changes to the number of councils in the metro area?</p>	<p>Yes</p>
<p>5. If the City of South Perth is abolished under the current proposal by the minister, what council will expand its boundaries to include the City of South Perth?</p>	<p>The Town of Victoria Park as proposed by the Minister</p>
<p>6. Does this agenda item commit the city to expenditure under \$100,000?</p>	<p>Refer answer at 8.</p>
<p>7. Does this agenda item commit the city to expenditure under \$500,000?</p>	<p>Refer answer at 8.</p>
<p>8. Does this agenda item commit the city to expenditure over \$1,000,000?</p>	<p>This particular report does not commit any finances. If the proposal progresses, long term contracts may be entered into, which will commit the City to future expenditure.</p>
<p>9. What is the distance to the proposed Waste for Resource Recovery Centre for the Rivers Regional Council from Kensington?</p>	<p>Approximately 25 kilometres</p>
<p>10. What alternatives are there to process the City of South Perth Waste much closer than that proposed in tonight's agenda?</p>	<p>The Rivers Regional Council has called public tenders for the disposal of waste. The City as member of the Rivers Regional Council is responding by providing information to the preferred tenderer.</p>
<p>11. Does the Town of Victoria Park belong to its own regional council?</p>	<p>Yes</p>
<p>12. Does the regional council which the Town of Victoria Park belongs to have its own Waste for Resource Recovery Centre?</p>	<p>Yes</p>
<p>13. If the City of South Perth no longer belongs to the Rivers Regional Council, what percentage of the expenditure will the city or its successor recover?</p>	<p>The City (or its successor) will be required to take on the obligations contained in any contract that may be entered into with the Rivers Regional Council or the successful tenderer.</p>