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## **APPENDICES**

### **Ordinary Council Meeting – 17 December 2020**

**Financial Statements for the period ended 30 September 2020**

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APPENDIX 1

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# **MANAGEMENT FINANCIAL STATEMENTS**

**FOR THE MONTH ENDED  
30 September 2020**

**Mindarie Regional Council**  
**INCOME STATEMENT BY NATURE AND TYPE**  
For the month ended 30 September 2020

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
<b>Revenue from Ordinary Activities</b>						
<b>Member User Charges</b>						
User Charges - City of Perth	2,665,000	651,484	638,090			
User Charges - City of Wanneroo	13,294,250	3,223,061	3,203,779			
User Charges - City of Joondalup	6,369,350	1,584,678	1,659,174			
User Charges - City of Stirling	9,840,000	2,381,077	2,584,138			
User Charges - Town of Cambridge	1,118,275	273,374	294,715			
User Charges - City of Vincent	2,870,000	665,836	589,861			
User Charges - Town of Victoria Park	2,644,500	646,065	631,546			
User Charges - RRF Residues	11,623,500	3,142,693	3,057,487			
	<b>50,424,875</b>	<b>12,568,268</b>	<b>12,658,788</b>	<b>90,520</b>	<b>0.72%</b>	
<b>Non Member User Charges</b>						
User Charges - Casual Tipping Fees	2,755,896	618,503	703,431	84,928	13.73%	
	<b>2,755,896</b>	<b>618,503</b>	<b>703,431</b>	<b>84,928</b>	<b>13.73%</b>	
<b>Total User Charges</b>	<b>53,180,771</b>	<b>13,186,771</b>	<b>13,362,219</b>	<b>175,448</b>	<b>1.33%</b>	1
<b>Other Charges</b>						
Service Charges						
Sale of Recyclable Materials	702,113	189,540	161,129	(28,411)	(14.99%)	
Gas Power Generation Sales	1,130,000	-	-	-	-	
Grants and Subsidies	-	-	-	-	-	
Contributions, Reimbursements & Donations	1,500	714	45,238	44,524	6235.92%	
Interest Earnings	326,752	81,687	62,709	(18,979)	(23.23%)	
Other Revenue	554,380	121,846	320,509	198,663	163.04%	
<b>Total Other Charges</b>	<b>2,714,745</b>	<b>393,787</b>	<b>589,585</b>	<b>195,798</b>	<b>49.72%</b>	2
<b>Total Revenue from Ordinary Activities</b>	<b>55,895,516</b>	<b>13,580,558</b>	<b>13,951,803</b>	<b>371,245</b>	<b>2.73%</b>	
<b>Expenses from Ordinary Activities</b>						
Employee Costs	5,778,105	1,799,382	1,806,235	(6,853)	(0.38%)	
Materials and Contracts						
Consultants and Contract Labour	425,580	49,181	63,161	(13,980)	(28.42%)	
Communications and Public Consultation	366,500	21,386	20,622	764	3.57%	
Landfill Expenses	1,880,270	260,608	252,976	7,632	2.93%	
Office Expenses	252,495	46,057	37,697	8,360	18.15%	
Information System Expenses	205,778	42,139	32,438	9,701	23.02%	
Building Maintenance	152,600	9,381	16,206	(6,825)	(72.76%)	
Plant and Equipment Operating & Hire	916,490	127,208	132,654	(5,446)	(4.28%)	
RRF Other Operating Expenses	30,695,864	8,008,797	8,501,011	(492,214)	(6.15%)	3
WMRC	-	-	-	-	-	
Utilities	311,167	80,323	76,867	3,456	4.30%	
Depreciation	2,114,229	528,548	552,838	(24,290)	(4.60%)	
Depreciation - Right of Use Asset	-	-	136,872	(136,872)	-	4
Finance Costs (leases)	-	-	75,479	(75,479)	-	
Insurances	222,072	54,294	55,688	(1,394)	(2.57%)	
DEP Landfill Levy	10,321,710	2,454,800	2,366,931	87,869	3.58%	
Land Lease/Rental	815,486	200,859	-	200,859	100.00%	4
Other Expenditure						
Members Costs	250,413	-	-	-	-	
Administration Expenses	981,500	98,844	98,845	(1)	(0.00%)	
Amortisation for Cell Development	2,487,470	591,590	570,416	21,174	3.58%	
Amortisation for Decommissioning Asset	1,097,915	274,476	274,476	-	0.00%	
Capping Accretion Expense	191,721	47,928	47,928	-	0.00%	
Post Closure Accretion Expense	157,761	39,438	39,438	-	0.00%	
RRF Amortisation	462,791	115,697	115,697	-	0.00%	
<b>Total Expenses</b>	<b>60,087,917</b>	<b>14,850,936</b>	<b>15,274,474</b>	<b>(423,539)</b>	<b>(2.85%)</b>	
Profit on Sale of Assets	18,287	-	-	-	-	
Loss on Sale of Assets	7,963	-	-	-	-	
Revaluation of Assets	-	-	-	-	-	
	<b>10,324</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Changes in Net Assets Resulting from Operations</b>	<b>(4,182,077)</b>	<b>(1,270,378)</b>	<b>(1,322,670)</b>	<b>(52,293)</b>	<b>4.12%</b>	

## NOTES FOR VARIATIONS - INCOME STATEMENT BY NATURE AND TYPE

Note #	Description of Item	Nature of variance where: 1. Member Revenue (Aggregated) variances greater than \$250,000. 2. Non Member Revenue (Aggregated) variances greater than \$100,000. 3. Other Revenues Charged (Per Line Item) variances greater than \$100,000. 4. All Expense variances (Per Line Item) greater than \$100,000.
1	User Charges - Members and Non Members	<p>Total user charges for the year to date are above budget by \$175k due to more than budgeted member council's waste of \$90k, the main contributors being the City of Joondalup and City of Stirling, and Non-member waste being \$85k above budget due to increased waste received from cash and trade customers.</p> <p>The Member Councils delivered more processable tonnes (1,144t) and less non processable tonnes (294t) than phased budget year to date. The variance relates to higher processable tonnes mainly from City of Joondalup and City of Wanneroo. Lower than budgeted non processable tonnes received mainly from City of Wanneroo.</p> <p>RRF residues have delivered less than anticipated (416t) year to date.</p>
2	Other Charges	<p>Other Revenue is \$196k above budget mainly due to receiving a refund from the ATO and also an amount from C-Wise for profit sharing relating to the 2019-2020 financial year, both unbudgeted, this is abated by lower than anticipated interest rates in investments and the net effect of lower income against budget as a result of Workpower taking over resource recovery operations from September 2020.</p>
3	RRF Other Operating Expenses	<p>RRF other operating expenses is \$492k above budget due to member councils delivering more waste against anticipated year to date scheduled tonnes, and also payment of fixed operating cost true up pertaining to the previous financial year.</p>
4	Right Of Use Asset	<p>Land lease/rental costs have been re-allocated in accordance with AASB16 Leases. All leases will be treated as right of use asset and will depreciate and incur finance costs until the end of lease. The budget adjustments will occur at Mid Year Budget setting.</p>

**Mindarie Regional Council**  
**OPERATING STATEMENT**  
For the month ended 30 September 2020

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Remaining Bal of Budget	% Balance
<b>Resource Recovery Facility</b>					
<b>Operating Expenditure</b>					
<b>Employee Costs</b>					
Salaries	-	-	-	-	
Allowances	-	-	-	-	
Workers Compensation Premium	-	-	-	-	
	-	-	-	-	
<b>Consultants and Contract Labour</b>					
Consultancy	10,000	-	-	10,000	100.00%
	<b>10,000</b>	<b>-</b>	<b>-</b>	<b>10,000</b>	<b>100.00%</b>
<b>Office Expenses</b>					
Cleaning of Buildings					
General cleaning (Enviro Care)	-	-	-	-	
Window cleaning	-	-	-	-	
	-	-	-	-	
<b>Information System Expenses</b>					
Computer System Maintenance					
ICT contractors costs	2,000	-	-	2,000	100.00%
Newcastle Weighing Services-Gen Maintenance	12,000	3,000	2,606	9,394	78.28%
Vertical Telecom P/L-Maint of Microwave Ant	6,000	1,500	1,345	4,655	77.59%
	<b>20,000</b>	<b>4,500</b>	<b>3,951</b>	<b>16,049</b>	<b>80.25%</b>
<b>Building Maintenance</b>					
Building Maintenance					
Airconditioning Maintenance	3,000	-	-	3,000	100.00%
Septic system maintenance	4,000	-	-	4,000	100.00%
Community Education Centre	3,000	-	-	3,000	100.00%
Weighbridge and Calibration	9,000	200	200	8,800	97.78%
Building Security					
Security - Monitoring	-	-	-	-	
	<b>19,000</b>	<b>200</b>	<b>200</b>	<b>18,800</b>	<b>98.95%</b>
<b>RRF Operation Expenses</b>					
Fencing and Gate Maintenance					
Fencing and Gate Maintenance	5,000	290	290	4,710	94.20%
Repair of Boom Gate	1,000	-	-	1,000	100.00%
Access control infrastructure maintenance	3,000	-	-	3,000	100.00%
Road Maintenance	5,000	-	-	5,000	100.00%
Bores and Pipework					
Bore maint/calibration/electronics	4,500	-	-	4,500	100.00%
Groundwater sampling	4,000	-	-	4,000	100.00%
Bacteria sampling	1,000	-	-	1,000	100.00%
Vermine control	500	-	-	500	100.00%
Spills/leaks/incident management	500	-	-	500	100.00%
Environmental monitoring	4,000	800	800	3,200	80.00%
Landscaping and Gardens	-	-	1,616	(1,616)	
Compost Disposal	456,900	120,582	81,996	374,904	82.05%
Contractor's Fees	29,960,464	7,887,125	8,416,309	21,544,155	71.91%
RRF Maintenance Funding	250,000	-	-	250,000	100.00%
	<b>30,695,864</b>	<b>8,008,797</b>	<b>8,501,011</b>	<b>22,194,853</b>	<b>72.31%</b>
<b>Utilities</b>					
Electricity	15,800	3,948	1,260	14,540	92.03%
Rates	104,127	26,031	27,068	77,059	74.00%
	<b>119,927</b>	<b>29,979</b>	<b>28,328</b>	<b>91,599</b>	<b>76.38%</b>
<b>Insurance</b>					
Municipal Property Insurance	3,800	951	1,014	2,786	73.31%
Public Liability Insurance	5,650	1,410	1,370	4,280	75.75%
	<b>9,450</b>	<b>2,361</b>	<b>2,384</b>	<b>7,066</b>	<b>74.77%</b>
<b>Cost of Borrowings</b>					
Interest on Loans					
Loan 10A	-	-	-	-	
Loan Expenses	-	-	-	-	
	-	-	-	-	
<b>Amortisations</b>					
Amortisation Pre-operating Costs	104,784	26,196	26,196	78,588	75.00%
Amortisation Costs	358,007	89,501	89,501	268,506	75.00%
	<b>462,791</b>	<b>115,697</b>	<b>115,697</b>	<b>347,094</b>	<b>75.00%</b>
<b>Depreciation</b>					
Depreciation on Building	36,515	9,129	9,129	27,386	75.00%
Depreciation on Infrastructure	43,183	10,796	10,796	32,387	75.00%
	<b>79,698</b>	<b>19,925</b>	<b>19,925</b>	<b>59,773</b>	<b>75.00%</b>
<b>Total Operating Expenditure</b>	<b>31,416,730</b>	<b>8,181,459</b>	<b>8,671,497</b>	<b>22,712,846</b>	<b>72.30%</b>
<b>Net Total</b>	<b>(31,416,730)</b>	<b>(8,181,459)</b>	<b>(8,671,497)</b>	<b>(22,712,846)</b>	<b>72.30%</b>

**Mindarie Regional Council**  
**INCOME STATEMENT BY DEPARTMENT**  
**For the month ended 30 September 2020**

Description	Adopted Budget	YTD Actual	\$ Variance	% Variance
<b>Revenues from Ordinary Activities</b>				
<b>Operating Revenues</b>				
General Purpose Funding	55,895,516	13,951,803	371,245	2.73%
Community Amenities	-	-	-	
Resource Recovery Facility	-	-	-	
	<b>55,895,516</b>	<b>13,951,803</b>	<b>371,245</b>	<b>2.73%</b>
<b>Profit on Disposal of Assets</b>				
Governance	-	-	-	
Community Amenities	18,287	-	-	
Resource Recovery Facility	-	-	-	
	<b>18,287</b>	<b>-</b>	<b>-</b>	
<b>Total Revenue</b>	<b>55,913,803</b>	<b>13,951,803</b>	<b>371,245</b>	<b>2.73%</b>
<b>Expenses from Ordinary Activities</b>				
<b>Operating Expenditure</b>				
Governance	4,910,785	902,858	41,083	4.35%
Community Amenities	23,760,402	5,624,640	100,896	1.76%
Resource Recovery Facility	31,416,730	8,671,497	(490,038)	(5.99%)
	<b>60,087,917</b>	<b>15,198,995</b>	<b>(348,059)</b>	<b>(2.34%)</b>
<b>Loss on Sale of Assets</b>				
Governance	-	-	-	
Community Amenities	7,963	-	-	
Resource Recovery Facility	-	-	-	
	<b>7,963</b>	<b>-</b>	<b>-</b>	
<b>Cost of Borrowings</b>				
Governance	-	75,479	(75,479)	
Community Amenities	-	-	-	
Resource Recovery Facility	-	-	-	
	<b>-</b>	<b>75,479</b>	<b>(75,479)</b>	
<b>Total Expenditure</b>	<b>60,095,880</b>	<b>15,274,474</b>	<b>(423,538)</b>	<b>(2.85%)</b>
<b>Revaluation of Assets</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Changes in Net Assets Resulting from Operations</b>	<b>(4,182,077)</b>	<b>(1,322,670)</b>	<b>(52,293)</b>	<b>4.12%</b>



**Mindarie Regional Council**  
**Balance Sheet**  
**For the month ended 30 September 2020**

Description	ACTUAL 2020/2021	Movement	ACTUAL 2019/2020
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	35,330,347	(820,600)	36,150,947
Debtors and other receivables	4,267,038	(249,041)	4,516,079
Inventories	12,433	(856)	13,290
Other Current Assets	350,437	(35,857)	386,294
<b>TOTAL CURRENT ASSETS</b>	<b>39,960,255</b>	<b>(1,106,354)</b>	<b>41,066,609</b>
<b>NON-CURRENT ASSETS</b>			
Property, plant and equipment	14,518,633	(429,736)	14,948,369
Work in progress - property, plant and equipment	-	-	-
Right of Use Asset	6,432,982	(136,872)	6,569,854
Infrastructure	6,757,434	(123,102)	6,880,537
Work in progress - Infrastructure	123,600	123,600	-
Excavation work	24,039,292	(570,416)	24,609,707
Resource recovery facility	3,982,139	(115,697)	4,097,836
Rehabilitation asset	4,087,027	(274,476)	4,361,503
Work in progress - Rehabilitation	1,000	1,000	-
<b>TOTAL NON-CURRENT ASSETS</b>	<b>59,942,108</b>	<b>(1,525,699)</b>	<b>61,467,807</b>
<b>TOTAL ASSETS</b>	<b>99,902,363</b>	<b>(2,632,053)</b>	<b>102,534,416</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	6,300,095	(990,320)	7,290,414
Provisions	709,723	(324,026)	1,033,749
Borrowings	-	-	-
Right of Use Asset (leases)	323,031	(107,677)	430,708
<b>TOTAL CURRENT LIABILITIES</b>	<b>7,332,849</b>	<b>(1,422,022)</b>	<b>8,754,871</b>
<b>NON CURRENT LIABILITIES</b>			
Provisions for Leave	61,206	25,274	35,932
Non Current Loans	-	-	-
Decommission Provision for Capping	16,838,081	87,366	16,750,715
Right of Use Asset (leases)	6,278,510	-	6,278,510
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>23,177,797</b>	<b>112,640</b>	<b>23,065,157</b>
<b>TOTAL LIABILITIES</b>	<b>30,510,646</b>	<b>(1,309,382)</b>	<b>31,820,029</b>
<b>NET ASSETS</b>	<b>69,391,717</b>	<b>(1,322,670)</b>	<b>70,714,387</b>
<b>EQUITY</b>			
Retained Surplus	10,717,173	(1,347,938)	12,065,111
Reserves (Cash Back)	22,737,907	25,268	22,712,639
Reserves (Non Cash Back)	31,850,910	-	31,850,910
Council Contribution	4,085,726	-	4,085,726
<b>TOTAL EQUITY</b>	<b>69,391,717</b>	<b>(1,322,670)</b>	<b>70,714,387</b>

**Mindarie Regional Council**  
**STATEMENT OF RESERVES**  
For the month ended 30 September 2020

<b>Description</b>	<b>ACTUAL 2020/2021</b>
<b>Opening Balance - 1 July 2020</b>	
Site Rehabilitation	14,788,715
Capital Expenditure	4,535,325
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	897,524
Carbon Abatement	491,076
	<b>22,712,639</b>
<b>Interest on Investments</b>	
Site Rehabilitation	-
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	-
Carbon Abatement	-
<b>Transfer from Operating Surplus</b>	
Site Rehabilitation	87,369
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	62,499
Carbon Abatement	-
	<b>149,868</b>
<b>Total Transfer from Operations</b>	<b>149,868</b>
<b>Transfer from Balance Sheet Provisions</b>	
Site Rehabilitation	-
	<b>-</b>
<b>Transfer to Operating Surplus</b>	
Site Rehabilitation	-
Capital Expenditure	124,600
RRF Maintenance Funding	-
Carbon Abatement	-
	<b>124,600</b>
<b>Closing Balance</b>	
Site Rehabilitation	14,876,084
Capital Expenditure	4,410,725
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	960,023
Carbon Abatement	491,076
	<b>22,737,907</b>

**Mindarie Regional Council**  
**STATEMENT OF INVESTING ACTIVITIES**  
For the month ended 30 September 2020

Description	Adopted Budget	YTD Actual	% to Revised Budget
<b>PLANT, VEHICLES AND MACHINERIES</b>			
<b>Plant and Vehicles</b>			
Replacement of Landfill Compactor	1,200,000	-	
Replacement of Skid Steer Loader	110,000	-	
	<b>1,310,000</b>	-	
<b>Machinery and Equipment</b>			
Hook Lift Bins	20,000	-	
	<b>20,000</b>	-	
<b>TOTAL PLANT, VEHICLES AND MACHINERIES</b>	<b>1,330,000</b>	-	
<b>FURNITURE AND EQUIPMENT</b>			
<b>Furniture and Fittings</b>			
Replacement of Airconditioning Units	10,000	-	
	<b>10,000</b>	-	<b>0.00%</b>
<b>TOTAL FURNITURE AND EQUIPMENT</b>	<b>10,000</b>	-	
<b>COMPUTING EQUIPMENT</b>			
<b>Computing Equipment</b>			
Microsoft Dynamics Navision upgrade	150,000	-	
Upgrade back-up server	6,000	-	
	<b>156,000</b>	-	
<b>TOTAL COMPUTING EQUIPMENT</b>	<b>156,000</b>	-	
<b>TOTAL LAND AND BUILDINGS</b>	-	-	
<b>INFRASTRUCTURE</b>			
<b>Operations</b>			
Litter Fencing	20,000	-	
Drilling - Gas & Leachate (MAR)	150,000	123,600	82.40%
Enviro drilling of landfill gas and groundwater monitoring wells	150,000	-	
Project work (IW) - Stage 2 Phase 3	60,000	-	
Replacement of Airwell pumps	30,000	-	
	<b>410,000</b>	<b>123,600</b>	<b>30.15%</b>
<b>Landfill Infrastructure Phase 3</b>			
Cell Development - Lining	200,154	1,000	0.50%
	<b>200,154</b>	<b>1,000</b>	<b>0.50%</b>
<b>TOTAL INFRASTRUCTURE</b>	<b>610,154</b>	<b>124,600</b>	<b>20.42%</b>

**Financial Statements for the period ended 31 October 2020**

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**APPENDIX 2**

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# **MANAGEMENT FINANCIAL STATEMENTS**

**FOR THE MONTH ENDED  
31 October 2020**

**Mindarie Regional Council**  
**INCOME STATEMENT BY NATURE AND TYPE**  
**For the month ended 31 October 2020**

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
<b>Revenue from Ordinary Activities</b>						
<b>Member User Charges</b>						
User Charges - City of Perth	2,665,000	888,390	860,310			
User Charges - City of Wanneroo	13,294,250	4,345,397	4,309,837			
User Charges - City of Joondalup	6,369,350	2,156,411	2,241,536			
User Charges - City of Stirling	9,840,000	3,201,751	3,460,429			
User Charges - Town of Cambridge	1,118,275	372,783	398,314			
User Charges - City of Vincent	2,870,000	897,418	804,199			
User Charges - Town of Victoria Park	2,644,500	880,247	843,778			
User Charges - RRF Residues	11,623,500	4,203,236	4,114,660			
	<b>50,424,875</b>	<b>16,945,633</b>	<b>17,033,062</b>	<b>87,429</b>	<b>0.52%</b>	
<b>Non Member User Charges</b>						
User Charges - Casual Tipping Fees	2,755,896	840,627	937,172	96,545	11.48%	
	<b>2,755,896</b>	<b>840,627</b>	<b>937,172</b>	<b>96,545</b>	<b>11.48%</b>	
<b>Total User Charges</b>	<b>53,180,771</b>	<b>17,786,260</b>	<b>17,970,234</b>	<b>183,974</b>	<b>1.03%</b>	1
<b>Other Charges</b>						
Service Charges						
Sale of Recyclable Materials	702,113	223,573	162,257	(61,316)	(27.43%)	
Gas Power Generation Sales	1,130,000	38,298	38,298	-	0.00%	
Grants and Subsidies	-	-	-	-	-	
Contributions, Reimbursements & Donations	1,500	714	45,238	44,524	6235.92%	
Interest Earnings	326,752	108,916	82,733	(26,183)	(24.04%)	
Other Revenue	554,380	185,470	394,111	208,641	112.49%	
<b>Total Other Charges</b>	<b>2,714,745</b>	<b>556,971</b>	<b>722,638</b>	<b>165,667</b>	<b>29.74%</b>	2
<b>Total Revenue from Ordinary Activities</b>	<b>55,895,516</b>	<b>18,343,231</b>	<b>18,692,872</b>	<b>349,641</b>	<b>1.91%</b>	
<b>Expenses from Ordinary Activities</b>						
Employee Costs	5,778,105	2,101,047	2,108,380	(7,333)	(0.35%)	
Materials and Contracts						
Consultants and Contract Labour	425,580	63,576	77,555	(13,979)	(21.99%)	
Communications and Public Consultation	366,500	25,131	25,240	(109)	(0.43%)	
Landfill Expenses	1,880,270	320,395	323,312	(2,917)	(0.91%)	
Office Expenses	252,495	61,911	50,251	11,660	18.83%	
Information System Expenses	205,778	54,696	42,914	11,782	21.54%	
Building Maintenance	152,600	12,278	19,022	(6,744)	(54.93%)	
Plant and Equipment Operating & Hire	916,490	166,135	179,579	(13,444)	(8.09%)	
RRF Other Operating Expenses	30,695,864	10,683,507	11,767,114	(1,083,607)	(10.14%)	3
WMRC	-	-	-	-	-	
Utilities	311,167	108,888	103,977	4,911	4.51%	
Depreciation	2,114,229	704,731	732,894	(28,163)	(4.00%)	
Depreciation - Right of Use Asset	-	-	182,496	(182,496)		4
Finance Costs (leases)	-	-	100,638	(100,638)		4
Insurances	222,072	73,392	75,109	(1,717)	(2.34%)	
DEP Landfill Levy	10,321,710	3,337,466	3,188,200	149,266	4.47%	5
Land Lease/Rental	815,486	267,812	-	267,812	100.00%	4
Other Expenditure						
Members Costs	250,413	-	-	-	-	
Administration Expenses	981,500	111,292	111,293	(1)	(0.00%)	
Amortisation for Cell Development	2,487,470	804,307	768,336	35,971	4.47%	
Amortisation for Decommissioning Asset	1,097,915	365,969	365,969	-	0.00%	
Capping Accretion Expense	191,721	63,905	63,905	-	0.00%	
Post Closure Accretion Expense	157,761	52,585	52,585	-	0.00%	
RRF Amortisation	462,791	154,263	154,263	-	0.00%	
<b>Total Expenses</b>	<b>60,087,917</b>	<b>19,533,286</b>	<b>20,493,034</b>	<b>(959,748)</b>	<b>(4.91%)</b>	
Profit on Sale of Assets	18,287	-	-	-	-	
Loss on Sale of Assets	7,963	-	-	-	-	
Revaluation of Assets	-	-	-	-	-	
	<b>10,324</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Changes in Net Assets Resulting from Operations</b>	<b>(4,182,077)</b>	<b>(1,190,055)</b>	<b>(1,800,162)</b>	<b>(610,107)</b>	<b>51.27%</b>	

## NOTES FOR VARIATIONS - INCOME STATEMENT BY NATURE AND TYPE

Note #	Description of Item	Nature of variance where: 1. Member Revenue (Aggregated) variances greater than \$250,000. 2. Non Member Revenue (Aggregated) variances greater than \$100,000. 3. Other Revenues Charged (Per Line Item) variances greater than \$100,000. 4. All Expense variances (Per Line Item) greater than \$100,000.
1	User Charges - Members and Non Members	<p>Total user charges year to date are above budget by \$184k due to more than budgeted member council's waste of \$87k, mainly the City of Stirling and City of Joondalup, and non-member waste being \$97k above budget due to unprecedented increased waste received from cash and trade customers.</p> <p>The Member Councils have delivered more processable tonnes (910t) and less non processable tonnes (63t) than phased budget year to date. The variance relates to higher processable tonnes mainly from the Cities of Joondalup and Wanneroo.</p> <p>RRF residues have delivered less than anticipated (432t) year to date.</p>
2	Other Charges	<p>Other Revenue is \$166k above budget mainly due to receiving a refund from the ATO and a payment from C-Wise for profit sharing relating to the 2019-2020 financial year, both unbudgeted. This is abated by lower than anticipated interest rates in investments and the net effect of lower income against budget as a result of Workpower taking over resource recovery operations from September 2020.</p>
3	RRF Other Operating Expenses	<p>RRF other operating expenses is \$1.084m above budget due to payment of fixed operating cost true up pertaining to the previous financial year and the insurance cost catch-up payments for the period 1 Jan 2020 to 30 September 2020.</p>
4	Land lease/Rental Costs	<p>Land lease/rental costs have been re-allocated in accordance with AASB16 Leases. All leases will be treated as right of use asset and will depreciate and incur finance costs until the end of lease. The budget adjustments will occur at Mid-Year budget setting.</p>
5	DWER Landfill Levy	<p>DWER landfill levy is \$149k below budget due to 2,317 tonnes less levied waste being delivered against phased budget.</p>

**Mindarie Regional Council**  
**OPERATING STATEMENT**  
For the month ended 31 October 2020

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Remaining Bal of Budget	% Balance
<b>Resource Recovery Facility</b>					
<b>Operating Expenditure</b>					
<b>Employee Costs</b>					
Salaries	-	-	-	-	
Allowances	-	-	-	-	
Workers Compensation Premium	-	-	-	-	
	-	-	-	-	
<b>Consultants and Contract Labour</b>					
Consultancy	10,000	-	-	10,000	100.00%
	<b>10,000</b>	<b>-</b>	<b>-</b>	<b>10,000</b>	<b>100.00%</b>
<b>Office Expenses</b>					
Cleaning of Buildings					
General cleaning (Enviro Care)	-	-	-	-	
Window cleaning	-	-	-	-	
	-	-	-	-	
<b>Information System Expenses</b>					
Computer System Maintenance					
ICT contractors costs	2,000	-	-	2,000	100.00%
Newcastle Weighing Services-Gen Maintenance	12,000	4,000	3,475	8,525	71.04%
Vertical Telecom P/L-Maint of Microwave Ant	6,000	2,000	1,793	4,207	70.12%
	<b>20,000</b>	<b>6,000</b>	<b>5,268</b>	<b>14,732</b>	<b>73.66%</b>
<b>Building Maintenance</b>					
Building Maintenance					
Airconditioning Maintenance	3,000	-	-	3,000	100.00%
Septic system maintenance	4,000	-	-	4,000	100.00%
Community Education Centre	3,000	-	-	3,000	100.00%
Weighbridge and Calibration	9,000	200	200	8,800	97.78%
Building Security					
Security - Monitoring	-	-	-	-	
	<b>19,000</b>	<b>200</b>	<b>200</b>	<b>18,800</b>	<b>98.95%</b>
<b>RRF Operation Expenses</b>					
Fencing and Gate Maintenance					
Fencing and Gate Maintenance	5,000	290	290	4,710	94.20%
Repair of Boom Gate	1,000	-	-	1,000	100.00%
Access control infrastructure maintenance	3,000	-	-	3,000	100.00%
Road Maintenance	5,000	-	-	5,000	100.00%
Bores and Pipework					
Bore maint/calibration/electronics	4,500	-	-	4,500	100.00%
Groundwater sampling	4,000	-	-	4,000	100.00%
Bacteria sampling	1,000	-	-	1,000	100.00%
Vermine control	500	-	-	500	100.00%
Spills/leaks/incident management	500	-	-	500	100.00%
Environmental monitoring	4,000	1,200	1,200	2,800	70.00%
Landscaping and Gardens	-	-	1,616	(1,616)	
Compost Disposal	456,900	160,776	107,562	349,338	76.46%
Contractor's Fees	29,960,464	10,521,241	11,656,446	18,304,018	61.09%
RRF Maintenance Funding	250,000	-	-	250,000	100.00%
	<b>30,695,864</b>	<b>10,683,507</b>	<b>11,767,114</b>	<b>18,928,750</b>	<b>61.67%</b>
<b>Utilities</b>					
Electricity	15,800	5,264	1,680	14,120	89.37%
Rates	104,127	34,708	36,091	68,036	65.34%
	<b>119,927</b>	<b>39,972</b>	<b>37,771</b>	<b>82,156</b>	<b>68.50%</b>
<b>Insurance</b>					
Municipal Property Insurance	3,800	1,268	1,352	2,448	64.41%
Public Liability Insurance	5,650	1,880	1,827	3,823	67.67%
	<b>9,450</b>	<b>3,148</b>	<b>3,179</b>	<b>6,271</b>	<b>66.36%</b>
<b>Cost of Borrowings</b>					
Interest on Loans					
Loan 10A	-	-	-	-	
Loan Expenses	-	-	-	-	
	-	-	-	-	
<b>Amortisations</b>					
Amortisation Pre-operating Costs	104,784	34,928	34,928	69,856	66.67%
Amortisation Costs	358,007	119,335	119,335	238,672	66.67%
	<b>462,791</b>	<b>154,263</b>	<b>154,263</b>	<b>308,528</b>	<b>66.67%</b>
<b>Depreciation</b>					
Depreciation on Building	36,515	12,172	12,172	24,343	66.67%
Depreciation on Infrastructure	43,183	14,394	14,394	28,789	66.67%
	<b>79,698</b>	<b>26,566</b>	<b>26,566</b>	<b>53,132</b>	<b>66.67%</b>
<b>Total Operating Expenditure</b>	<b>31,416,730</b>	<b>10,913,656</b>	<b>11,994,362</b>	<b>19,393,579</b>	<b>61.73%</b>
<b>Net Total</b>	<b>(31,416,730)</b>	<b>(10,913,656)</b>	<b>(11,994,362)</b>	<b>(19,393,579)</b>	<b>61.73%</b>



**Mindarie Regional Council**  
**INCOME STATEMENT BY DEPARTMENT**  
For the month ended 31 October 2020

Description	Adopted Budget	YTD Actual	\$ Variance	% Variance
<b>Revenues from Ordinary Activities</b>				
<b>Operating Revenues</b>				
General Purpose Funding	55,895,516	18,692,872	349,641	1.91%
Community Amenities	-	-	-	
Resource Recovery Facility	-	-	-	
	<b>55,895,516</b>	<b>18,692,872</b>	<b>349,641</b>	<b>1.91%</b>
<b>Profit on Disposal of Assets</b>				
Governance	-	-	-	
Community Amenities	18,287	-	-	
Resource Recovery Facility	-	-	-	
	<b>18,287</b>	<b>-</b>	<b>-</b>	
<b>Total Revenue</b>	<b>55,913,803</b>	<b>18,692,872</b>	<b>349,641</b>	<b>1.91%</b>
<b>Expenses from Ordinary Activities</b>				
<b>Operating Expenditure</b>				
Governance	4,910,785	1,169,679	77,693	6.23%
Community Amenities	23,760,402	7,228,354	143,903	1.95%
Resource Recovery Facility	31,416,730	11,994,362	(1,080,706)	(9.90%)
	<b>60,087,917</b>	<b>20,392,396</b>	<b>(859,110)</b>	<b>(4.40%)</b>
<b>Loss on Sale of Assets</b>				
Governance	-	-	-	
Community Amenities	7,963	-	-	
Resource Recovery Facility	-	-	-	
	<b>7,963</b>	<b>-</b>	<b>-</b>	
<b>Cost of Borrowings</b>				
Governance	-	100,638	(100,638)	
Community Amenities	-	-	-	
Resource Recovery Facility	-	-	-	
	<b>-</b>	<b>100,638</b>	<b>(100,638)</b>	
<b>Total Expenditure</b>	<b>60,095,880</b>	<b>20,493,034</b>	<b>(959,748)</b>	<b>(4.91%)</b>
<b>Revaluation of Assets</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Changes in Net Assets Resulting from Operations</b>	<b>(4,182,077)</b>	<b>(1,800,162)</b>	<b>(610,107)</b>	<b>51.27%</b>

**Mindarie Regional Council**  
**Balance Sheet**  
**For the month ended 31 October 2020**

Description	ACTUAL 2020/2021	Movement	ACTUAL 2019/2020
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	33,997,655	(2,153,291)	36,150,947
Debtors and other receivables	4,525,124	35,030	4,490,095
Inventories	10,175	(3,115)	13,290
Other Current Assets	341,993	(44,301)	386,294
<b>TOTAL CURRENT ASSETS</b>	<b>38,874,947</b>	<b>(2,165,678)</b>	<b>41,040,625</b>
<b>NON-CURRENT ASSETS</b>			
Property, plant and equipment	14,379,595	(568,773)	14,948,369
Work in progress - property, plant and equipment	-	-	-
Right of Use Asset	6,903,440	(182,496)	7,085,936
Infrastructure	6,716,416	(164,121)	6,880,537
Work in progress - Infrastructure	123,600	123,600	-
Excavation work	21,482,727	(768,336)	22,251,063
Resource recovery facility	3,943,573	(154,263)	4,097,836
Rehabilitation asset	9,061,080	(365,969)	9,427,049
Work in progress - Rehabilitation	8,200	8,200	-
<b>TOTAL NON-CURRENT ASSETS</b>	<b>62,618,632</b>	<b>(2,072,158)</b>	<b>64,690,790</b>
<b>TOTAL ASSETS</b>	<b>101,493,579</b>	<b>(4,237,836)</b>	<b>105,731,415</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	5,154,456	(2,109,974)	7,264,430
Provisions	730,307	(330,879)	1,061,187
Right of Use Asset (leases)	267,360	(143,569)	410,929
<b>TOTAL CURRENT LIABILITIES</b>	<b>6,152,123</b>	<b>(2,584,423)</b>	<b>8,736,546</b>
<b>NON CURRENT LIABILITIES</b>			
Provisions for Leave	84,899	30,259	54,640
Decommission Provision for Capping	21,932,751	116,490	21,816,261
Right of Use Asset (leases)	6,903,066	-	6,903,066
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>28,920,716</b>	<b>146,749</b>	<b>28,773,966</b>
<b>TOTAL LIABILITIES</b>	<b>35,072,839</b>	<b>(2,437,673)</b>	<b>37,510,512</b>
<b>NET ASSETS</b>	<b>66,420,740</b>	<b>(1,800,162)</b>	<b>68,220,902</b>
<b>EQUITY</b>			
Retained Surplus	14,070,651	(1,875,386)	15,946,037
Reserves (Cash Back)	22,787,863	75,224	22,712,639
Reserves (Non Cash Back)	25,476,500	-	25,476,500
Council Contribution	4,085,726	-	4,085,726
<b>TOTAL EQUITY</b>	<b>66,420,740</b>	<b>(1,800,162)</b>	<b>68,220,902</b>

**Mindarie Regional Council**  
**STATEMENT OF RESERVES**  
For the month ended 31 October 2020

<b>Description</b>	<b>ACTUAL 2020/2021</b>
<b>Opening Balance - 1 July 2020</b>	
Site Rehabilitation	14,788,715
Capital Expenditure	4,535,325
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	897,524
Carbon Abatement	491,076
	<b>22,712,639</b>
<b>Interest on Investments</b>	
Site Rehabilitation	-
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	-
Carbon Abatement	-
<b>Transfer from Operating Surplus</b>	
Site Rehabilitation	116,492
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	83,332
Carbon Abatement	-
	<b>199,824</b>
<b>Total Transfer from Operations</b>	<b>199,824</b>
<b>Transfer from Balance Sheet Provisions</b>	
Site Rehabilitation	-
	<b>-</b>
<b>Transfer to Operating Surplus</b>	
Site Rehabilitation	-
Capital Expenditure	124,600
RRF Maintenance Funding	-
Carbon Abatement	-
	<b>124,600</b>
<b>Closing Balance</b>	
Site Rehabilitation	14,905,207
Capital Expenditure	4,410,725
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	980,856
Carbon Abatement	491,076
	<b>22,787,863</b>

**Mindarie Regional Council**  
**STATEMENT OF INVESTING ACTIVITIES**  
For the month ended 31 October 2020

Description	Adopted Budget	YTD Actual	% to Revised Budget
<b>PLANT, VEHICLES AND MACHINERIES</b>			
<b>Plant and Vehicles</b>			
Replacement of Landfill Compactor	1,200,000	-	
Replacement of Skid Steer Loader	110,000	-	
	<b>1,310,000</b>	-	
<b>Machinery and Equipment</b>			
Hook Lift Bins	20,000	-	
	<b>20,000</b>	-	
<b>TOTAL PLANT, VEHICLES AND MACHINERIES</b>	<b>1,330,000</b>	-	
<b>FURNITURE AND EQUIPMENT</b>			
<b>Furniture and Fittings</b>			
Replacement of Airconditioning Units	10,000	-	
	<b>10,000</b>	-	<b>0.00%</b>
<b>TOTAL FURNITURE AND EQUIPMENT</b>	<b>10,000</b>	-	
<b>COMPUTING EQUIPMENT</b>			
<b>Computing Equipment</b>			
Microsoft Dynamics Navision upgrade	150,000	-	
Upgrade back-up server	6,000	-	
	<b>156,000</b>	-	
<b>TOTAL COMPUTING EQUIPMENT</b>	<b>156,000</b>	-	
<b>TOTAL LAND AND BUILDINGS</b>	-	-	
<b>INFRASTRUCTURE</b>			
<b>Operations</b>			
Litter Fencing	20,000	-	
Drilling - Gas & Leachate (MAR)	150,000	123,600	82.40%
Enviro drilling of landfill gas and groundwater monitoring wells	150,000	-	
Project work (IW) - Stage 2 Phase 3	60,000	-	
Replacement of Airwell pumps	30,000	-	
	<b>410,000</b>	<b>123,600</b>	<b>30.15%</b>
<b>Landfill Infrastructure Phase 3</b>			
Cell Development - Lining	200,154	8,200	4.10%
	<b>200,154</b>	<b>8,200</b>	<b>4.10%</b>
<b>TOTAL INFRASTRUCTURE</b>	<b>610,154</b>	<b>131,800</b>	<b>21.60%</b>

<b>Tonnage Report to 31 October 2020</b>
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Item 9.1	APPENDIX 3	Item 9.1
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## **Waste to Landfill Tonnages Report for the period to 31 October 2020**

### **Members**

The Member Councils' processable waste for the financial year to date is 910 tonnes above budget, mainly City of Wanneroo delivering more than anticipated to date. (1,071t).

The non processable waste for the year to date is 63 tonnes below budget primarily as a result of the City of Wanneroo (1,255t) delivering less than their estimated non processable tonnage, abated by the City of Stirling who have delivered more than anticipated. (1,117t)

These variances leave the MRC 0.50% above in its budgeted waste receipts from Member Councils for the financial year to date 2020/2021. Overall the Member Council waste is 415 tonnes above the phased budget as at the end of October 2020.

### **RRF**

The Resource Recovery Facility residue tonnes are below phased budget (432t) for the financial year to date.

### **Trade & Casual**

The Casual and Trade tonnages in total are 564 tonnes above phased budget for the financial year to date. Trade tonnages exceeding budget by 693t year to date and cash customers marginally below budget (129t)

Overall for the period ended 31<sup>st</sup> October 2020, the tonnes received were 979 tonnes above what was budgeted.

<b>List of Payments made to 30 September 2020</b>
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Item 9.2
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APPENDIX 4
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Item 9.2
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**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

<b>Cheque Posting Date</b>	<b>Document No.</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
17/09/2020	772	Cash - Petty Cash	September Reimbursement	\$1,040.55
18/09/2020	773	Synergy	Electricity Period 10/06/20 - 03/09/20	\$72.08
23/09/2020	774	Alinta Energy	Gas Supply Period 10/06/20 - 03/09/20	\$63.45
<b>Total CBA cheques</b>				<b>\$1,176.08</b>
2/09/2020	DP-01844	Commonwealth Bank	CBA Merchant Fee August 2020	\$86.72
15/09/2020	DP-01846	Commonwealth Bank	Commbiz Fees	\$41.91
15/09/2020	DP-01847	Commonwealth Bank	CBA Account Service Fees	\$21.15
18/09/2020	DP-01848	Australian Taxation Office	BAS August 2020	\$151,002.00
2/09/2020	DP-01849	Commonwealth Bank	CBA Merchant fee August 2020	\$1,463.84
28/09/2020	GJ	MRC Credit Card	See Schedule Attached	\$1,109.30
4/09/2020	GJ	City of Stirling	Refund of overpayment received. Ref: Invoice SINV-042340	\$3,000.00
<b>Total Direct Payments &amp; Fees</b>				<b>\$156,724.92</b>
<b>Total Inter account Transfers</b>				<b>\$0.00</b>



**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

Posting Date	Document No.	Vendor Name	Details	EFT Amount
4/09/2020	EFT-01993	Telstra	Mobiles - 14/08/20 - 13/09/20	\$677.89
4/09/2020	EFT-01994	Australian Services Union	Union Fees	\$25.90
4/09/2020	EFT-01994	Australian Services Union	Union Fees	\$51.80
4/09/2020	EFT-01994	Wormald	Monthly HHW Fire Panel Inspections and Testing	\$53.81
4/09/2020	EFT-01994	Trade West Industrial Supplies	Safety glasses - anti fog smoke lens typhoon	\$71.28
4/09/2020	EFT-01994	Winc Australia P/L	Kleenex Tissues - Ctn of 20	\$100.58
4/09/2020	EFT-01994	Bunnings	Irrigation tube, wire & punch	\$113.73
4/09/2020	EFT-01994	Neverfail Springwater Ltd	Cooler Rental 16/08/20-16/08/21	\$154.00
4/09/2020	EFT-01994	Winc Australia P/L	Photocopying Paper	\$191.63
4/09/2020	EFT-01994	Kitec Electrical Services	Fuel Bowser Pump Inspection	\$192.50
4/09/2020	EFT-01994	Wren Oil	Waste engine oil collection - 11th August 2020	\$203.50
4/09/2020	EFT-01994	Staff Australia	Irrigation fixing	\$214.36
4/09/2020	EFT-01994	Envirocare Systems	Neerabup Hygiene Services July 20 - June 2021	\$231.77
4/09/2020	EFT-01994	ROWE SCIENTIFIC PTY LTD	Infrared Thermometer	\$254.98
4/09/2020	EFT-01994	Total Eden Pty Ltd	Drippers for recycling garden	\$269.50
4/09/2020	EFT-01994	Excel Carpet Cleaning WA	Window Cleaning - Monthly	\$295.00
4/09/2020	EFT-01994	Total Green Recycling Pty Ltd	EWaste collected for Vincent - 28/07/2020	\$375.78
4/09/2020	EFT-01994	Rose Rogers Creative	FYW Powerpoint template	\$385.00
4/09/2020	EFT-01994	Airgen Australia	Plt67 install 'jack in' to main compressor	\$412.50
4/09/2020	EFT-01994	Fastfwd IT	Site photographs	\$440.00
4/09/2020	EFT-01994	BOQ Asset Finance & Leasing Pty Ltd	Printer Rental - September 2020	\$446.85
4/09/2020	EFT-01994	Airgen Australia	Decom compressors	\$462.00
4/09/2020	EFT-01994	Trade West Industrial Supplies	Uniform - rain pants various sizes	\$616.00
4/09/2020	EFT-01994	Envirocare Systems	Tamala Park Hygiene Services July 20 - June 2021	\$694.54
4/09/2020	EFT-01994	Tyrecycle P/L	Recycling of Tyres - 15 July 2020	\$724.82
4/09/2020	EFT-01994	Tyrecycle P/L	Recycling of Tyres - 22 July 2020	\$765.03
4/09/2020	EFT-01994	Total Green Recycling Pty Ltd	Ewaste recycling 15/08/2020	\$821.74
4/09/2020	EFT-01994	Global Spill Control Pty Ltd	Replenishment of Spill kit Bins	\$840.34
4/09/2020	EFT-01994	ELO Digital Office AU/NA Pty Ltd	ELO Monthly Support - March 2020 - March 2021	\$935.00
4/09/2020	EFT-01994	Tyrecycle P/L	Recycling of Tyres - 10 July 2020	\$1,074.78
4/09/2020	EFT-01994	Tutt Bryant Equipment WA	Plt135 Compactor service 250hr	\$1,537.91
4/09/2020	EFT-01994	Trade West Industrial Supplies	Various uniform, boots and safety glasses	\$1,668.37
4/09/2020	EFT-01994	Couplers Malaga	Various hose connections and hose	\$1,893.29
4/09/2020	EFT-01994	Tyrecycle P/L	Recycling of Tyres - 29 July 2020	\$2,156.61
4/09/2020	EFT-01994	Position Partners	Landfill GPS systems - monthly fee	\$2,200.00
4/09/2020	EFT-01994	360 Environmental P/L	Bore & Leachate Sampling - partial payment	\$2,530.00
4/09/2020	EFT-01994	360 Environmental P/L	Soil Sampling Investigation - partial payment	\$4,361.50
4/09/2020	EFT-01994	Town of Cambridge	TP Lease - September 2020 - Cambridge	\$5,601.75
4/09/2020	EFT-01994	City of Joondalup	TP Lease - September 2020 - Joondalup	\$11,297.17

**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

4/09/2020 EFT-01994	City of Stirling	TP Lease - September 2020 - Stirling	\$22,407.01
4/09/2020 EFT-01994	City of Wanneroo	Rates for RRF 2020/2021	\$108,273.80
11/09/2020 EFT-01995	Payroll Employee Wages	PAYFE110920	\$125,620.67
11/09/2020 EFT-01996	Australian Taxation Office	PAYG	\$37,361.69
16/09/2020 EFT-01997	Easisalary PTY LTD	Salary Sacrifice	\$479.84
16/09/2020 EFT-01997	Easisalary PTY LTD	Salary Sacrifice	\$479.84
18/09/2020 EFT-01998	Biovision 2020 Pty Ltd	Contractor's Fees - August 2020	\$2,614,898.94
18/09/2020 EFT-01999	Telstra	Internet Charges - September 2020	\$1,210.00
18/09/2020 EFT-02000	Couplers Malaga	4" washers for the cam lock fittings	\$9.37
18/09/2020 EFT-02000	Australia Post	Postage during August 2020	\$15.15
18/09/2020 EFT-02000	Mirco Bros Pty Ltd	Leachate 1" threaded end caps, reducing nipples	\$21.50
18/09/2020 EFT-02000	Shred-it Australia Pty Ltd	Records - Shredding	\$140.84
18/09/2020 EFT-02000	Satellite Security Services P/L	Alarm System Battery Change	\$155.00
18/09/2020 EFT-02000	St John Ambulance	First Aid for Mental Health Training 19/8/20	\$175.00
18/09/2020 EFT-02000	Brendan Twine	Repairs to OSH Mobile Phone	\$211.59
18/09/2020 EFT-02000	Plants & Garden Rentals	Office Plants - September 2020	\$220.00
18/09/2020 EFT-02000	DCM Services	Aircon Unit Clean - Reuse shop	\$228.71
18/09/2020 EFT-02000	COVS Parts Pty Ltd	Plt130 - Replacement Headlights	\$260.41
18/09/2020 EFT-02000	Spectur Ltd	Solar Security Camera Sep-Nov 2020	\$264.00
18/09/2020 EFT-02000	Bale Data Services	Thermal CSO rolls x 6 boxes/24 rolls per box	\$277.73
18/09/2020 EFT-02000	Magnetic Automation Pty Ltd	Main Gate Fault Repairs	\$319.00
18/09/2020 EFT-02000	Pirtek (Malaga) Pty Ltd	Plt79 Hose Replacement	\$326.66
18/09/2020 EFT-02000	Satellite Security Services P/L	Alarm Code Updates	\$350.00
18/09/2020 EFT-02000	DCM Services	Aircon Unit Clean - Reuse shop	\$462.00
18/09/2020 EFT-02000	Olivers Lawn & Landscaping Pty Ltd	Lawn maintenance service at TP August 2020	\$475.00
18/09/2020 EFT-02000	Total Tools Joondalup	Dawn 175mm Pipe Chain Steel Vice	\$485.00
18/09/2020 EFT-02000	Total Tools Joondalup	Vice pipe chain 175mm bottom Screw super grade	\$485.00
18/09/2020 EFT-02000	WA Local Government Association	Walga training for EA	\$618.00
18/09/2020 EFT-02000	Starzone Holdings Pty Ltd	Plt104 Bin Lock sensor repairs	\$605.00
18/09/2020 EFT-02000	Trade West Industrial Supplies	Uniform - rain jackets various sizes	\$683.76
18/09/2020 EFT-02000	Marketforce P/L	Public Notice Advertisement - Business Plan	\$684.55
18/09/2020 EFT-02000	Marketforce P/L	Public Notice Special Council Meeting 20 August 2020	\$716.65

**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

18/09/2020 EFT-02000	EMRC	CCA Wood Recycling	\$736.00
18/09/2020 EFT-02000	GCM Enviro Pty Ltd	Plt107 - USB Key and connection	\$757.61
18/09/2020 EFT-02000	Signarama	Site Signage	\$780.18
18/09/2020 EFT-02000	Caltex Australia Pty Ltd	Fuel August 2020	\$861.11
18/09/2020 EFT-02000	Proofload P/L	Collared Eyebolts & Chain Sling	\$911.90
18/09/2020 EFT-02000	WesTrac Pty Ltd	Plt107 - Engine Oil	\$1,005.19
18/09/2020 EFT-02000	WesTrac Pty Ltd	Plt130 - Hydraulic Oil	\$1,010.55
18/09/2020 EFT-02000	Tyrecycle P/L	Recycling of Tyres (51)	\$1,100.73
18/09/2020 EFT-02000	Elliotts Irrigation Pty Ltd	Irrigation help with saddles/impact sprinklers	\$1,232.00
18/09/2020 EFT-02000	Remondis Australia Pty Ltd	Cardboard Collections - 1 x June & 4 x July	\$1,251.80
18/09/2020 EFT-02000	OCP Sales	6x IC41pro two way radios	\$1,275.00
18/09/2020 EFT-02000	Proofload P/L	Plt130 Skid Steer Cab inspection	\$1,347.50
18/09/2020 EFT-02000	WesTrac Pty Ltd	Plt130 repairs - R&R tracks	\$1,493.97
18/09/2020 EFT-02000	Starzone Holdings Pty Ltd	Plt130 - Air-con Repairs	\$1,508.10
18/09/2020 EFT-02000	Starzone Holdings Pty Ltd	Plt118 - Air-con Repairs	\$1,508.10
18/09/2020 EFT-02000	Tyrecycle P/L	Recycling of 144 tyres	\$1,676.23
18/09/2020 EFT-02000	Durotank	Fuel Boaser Pump Replacement	\$1,705.00
18/09/2020 EFT-02000	WesTrac Pty Ltd	Plt130 - fit new tracks	\$1,705.11
18/09/2020 EFT-02000	Proofload P/L	Non Destructive Tests on 5 vehicles	\$1,782.00
18/09/2020 EFT-02000	Pro Water Services	Leachate Pump Parts - diaphragms & air valves	\$1,936.00
18/09/2020 EFT-02000	BJ Systems	Main Gate Key FOBS	\$2,293.45
18/09/2020 EFT-02000	Raich & Associates	2020/2021 Service & maintenance of weather station	\$2,474.57
18/09/2020 EFT-02000	Marketforce P/L	FYW social media - August 2020	\$2,640.00
18/09/2020 EFT-02000	360 Environmental P/L	Asbestos Monitoring and Initial Risk Assessment	\$3,077.80
18/09/2020 EFT-02000	City of Perth	Council Rates 2019/2020 Perth	\$3,252.08
18/09/2020 EFT-02000	Coates Hire	Grader Hire - 20/08/20-24/08/20	\$5,119.60
18/09/2020 EFT-02000	City of Perth	TP Lease - September 2020 - Perth	\$5,576.52
18/09/2020 EFT-02000	Trade West Industrial Supplies	Eyres Terminator Dark Lens Safety Glasses	\$5,582.12
18/09/2020 EFT-02000	City of Vincent	TP Lease - September 2020 - Vincent	\$5,601.75
18/09/2020 EFT-02000	Town of Victoria Park	TP Lease - September - Victoria Park	\$5,601.75
18/09/2020 EFT-02000	Newcastle Weighing Services Pty	RRF DCS Replacement Parts - Insurance Claim	\$5,885.00
18/09/2020 EFT-02000	Landfill Power & Gas Pty Ltd	Electricity - July 2020	\$11,093.84
18/09/2020 EFT-02000	City of Wanneroo	TP Lease September 2020 - Wanneroo	\$11,203.50
18/09/2020 EFT-02000	Integrity Fencing and Gates	Insurance Claim Storm Damage to Litter Fence	\$13,200.00
18/09/2020 EFT-02000	WA Local Government Association	Walga Membership & Subscription 2020/21	\$20,322.70
18/09/2020 EFT-02000	Great Southern Fuel Supplies	Fuel August 2020	\$20,420.74
18/09/2020 EFT-02000	Herbert Smith Freehills	Legal Expenses - RRF Agreement to 27/08/2020	\$39,807.90
25/09/2020 EFT-02001	Payroll Employee Wages	PAYFE250920	\$84,037.74
25/09/2020 EFT-02002	Payroll Employee Wages	PAYTERM152	\$153,150.45
25/09/2020 EFT-02003	Australian Taxation Office	PAYG	\$56,101.08
25/09/2020 EFT-02004	Australian Super Administration	Staff Superannuation	\$52.71

**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

25/09/2020 EFT-02004	Commonwealth Bank Group Super	Staff Superannuation	\$54.28
25/09/2020 EFT-02004	Commonwealth Bank Group Super	Staff Superannuation	\$56.90
25/09/2020 EFT-02004	Australian Super Administration	Staff Superannuation	\$64.79
25/09/2020 EFT-02004	CBus	Staff Superannuation	\$219.43
25/09/2020 EFT-02004	Energy Superannuation	Staff Superannuation	\$219.90
25/09/2020 EFT-02004	CBus	Staff Superannuation	\$240.45
25/09/2020 EFT-02004	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$335.23
25/09/2020 EFT-02004	Sunsuper	Staff Superannuation	\$345.57
25/09/2020 EFT-02004	Sunsuper	Staff Superannuation	\$380.98
25/09/2020 EFT-02004	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$396.43
25/09/2020 EFT-02004	HostPlus	Staff Superannuation	\$474.95
25/09/2020 EFT-02004	Hesta Super Fund	Staff Superannuation	\$496.44
25/09/2020 EFT-02004	TWU Superannuation Fund	Staff Superannuation	\$558.44
25/09/2020 EFT-02004	CBus	Staff Superannuation	\$1,264.69
25/09/2020 EFT-02004	Commonwealth Bank Group Super	Staff Superannuation	\$1,389.85
25/09/2020 EFT-02004	Colonial First State	Staff Superannuation	\$1,526.02
25/09/2020 EFT-02004	Sunsuper	Staff Superannuation	\$1,998.03
25/09/2020 EFT-02004	Australian Super Administration	Staff Superannuation	\$2,199.56
25/09/2020 EFT-02004	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$2,642.57
25/09/2020 EFT-02004	Walgs Plan Pty Ltd	Staff Superannuation	\$3,619.22
25/09/2020 EFT-02004	Walgs Plan Pty Ltd	Staff Superannuation	\$3,644.82
25/09/2020 EFT-02004	Walgs Plan Pty Ltd	Staff Superannuation	\$18,990.20
25/09/2020 EFT-02005	Bunnings	Sanding sheets for workshop	\$6.02
25/09/2020 EFT-02005	Bunnings	Hex nuts for pump diaphragms	\$21.60
25/09/2020 EFT-02005	Blackwoods & Atkins	Water level indicator	\$24.64
25/09/2020 EFT-02005	Australian Services Union	Union Fees	\$25.90
25/09/2020 EFT-02005	Australian Services Union	Union Fees	\$25.90
25/09/2020 EFT-02005	Bunnings	Threaded piping	\$29.10
25/09/2020 EFT-02005	Neverfail Springwater Ltd	Springwater bottles 4 x 15ltr	\$31.20
25/09/2020 EFT-02005	Neverfail Springwater Ltd	Springwater bottles 6 x 15ltr	\$46.80
25/09/2020 EFT-02005	Magicorp Pty Ltd	Subscriptions for On Hold Messages	\$49.50
25/09/2020 EFT-02005	Suez Recycling & Recovery (Perth) P/L	Confidential Waste Paper - August 2020	\$52.04
25/09/2020 EFT-02005	Reece Pty Ltd	Reducing brass nipples (25mm to 20mm)	\$68.86
25/09/2020 EFT-02005	BOC Limited	Gas bottle hire 29/7-58/8/20	\$73.12
25/09/2020 EFT-02005	Bunnings	Irrigation piping	\$119.58
25/09/2020 EFT-02005	Bunnings	Braille signs	\$125.05
25/09/2020 EFT-02005	Bunnings	Round pails 11.1 ltrs & 2.3 ltrs with lids	\$125.40
25/09/2020 EFT-02005	Airwell Group Pty Ltd	Assorted items for leachette	\$127.35
25/09/2020 EFT-02005	Lynn Douglas	Staff Amenities - Milk	\$154.50
25/09/2020 EFT-02005	Trade West Industrial Supplies	Work boots for boilermaker	\$163.96
25/09/2020 EFT-02005	Wren Oil	Waste engine oil collection - 11th August 2020	\$209.00

**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

25/09/2020 EFT-02005	Starzone Holdings Pty Ltd	Plt71 Remove red fire beacons	\$225.50
25/09/2020 EFT-02005	A & G Wines Plumbing	Shop Toilet Repairs	\$231.00
25/09/2020 EFT-02005	Total Green Recycling Pty Ltd	EWaste collected for Vincent - 19/08/2020	\$247.04
25/09/2020 EFT-02005	Instant Products Group	Chemical toilet monthly hire, restock & cleaning	\$251.50
25/09/2020 EFT-02005	Kyocera Document Solutions	Photocopying Expenses - August 2020	\$268.24
25/09/2020 EFT-02005	Starzone Holdings Pty Ltd	Plt135 - Repair electrical plug	\$288.20
25/09/2020 EFT-02005	Go Doors Pty Ltd	Automatic door repair - reuse shop	\$306.63
25/09/2020 EFT-02005	Alance Newspaper & Magazine Delivery	Newspapers 8/6/2020 - 2/8/2020	\$312.00
25/09/2020 EFT-02005	Total Green Recycling Pty Ltd	EWaste collected for Vincent - 13/08/2020	\$336.28
25/09/2020 EFT-02005	Margarate Davies	Earth carers refreshments reimbursement	\$350.06
25/09/2020 EFT-02005	Pirtek (Malaga) Pty Ltd	Hydraulic hoses Plt104 & Plt115	\$408.19
25/09/2020 EFT-02005	Go Doors Pty Ltd	Reuse shop, automatic door, glass reseal	\$429.00
25/09/2020 EFT-02005	Starzone Holdings Pty Ltd	Plt112 Fit Beacon & Repair 2-way	\$445.50
25/09/2020 EFT-02005	Airwell Group Pty Ltd	August Spare Parts	\$500.00
25/09/2020 EFT-02005	Enviro Sweep	Monthly Road Sweeping	\$594.00
25/09/2020 EFT-02005	Excel Carpet Cleaning WA	Window Cleaning - Monthly	\$645.00
25/09/2020 EFT-02005	Tyrecycle P/L	Recycling Tyres 02/09/20 37	\$730.08
25/09/2020 EFT-02005	Western Tree Recyclers	Recycling greens - 15.12 t for City of Perth	\$731.81
25/09/2020 EFT-02005	Total Green Recycling Pty Ltd	Ewaste recycling 21/08/2020	\$779.74
25/09/2020 EFT-02005	Total Green Recycling Pty Ltd	Ewaste recycling 14/08/2020	\$855.73
25/09/2020 EFT-02005	ELO Digital Office AU/NA Pty Ltd	ELO Monthly Support - March 2020 - March 2021	\$935.00
25/09/2020 EFT-02005	Remondis Australia Pty Ltd	Cardboard Collection - 4 loads in August 2020	\$1,001.00
25/09/2020 EFT-02005	Key2creative P/L	Annual Report Design 2019-2020 - 1st instalment	\$1,078.00
25/09/2020 EFT-02005	RAICH AND ASSOCIATES	Envirodata Subscription 29/8/20-28/8/21	\$1,309.00
25/09/2020 EFT-02005	Command A Com	Telephone Expenses - September 2020	\$1,309.52
25/09/2020 EFT-02005	Satellite Security Services P/L	Monitoring - September to December 2020	\$1,317.61
25/09/2020 EFT-02005	Pro Water Services	Service dated 25 August 2020	\$1,815.00
25/09/2020 EFT-02005	Position Partners	Landfill GPS sytems - monthly fee	\$2,200.00
25/09/2020 EFT-02005	InfoTrust	Symantec Antivirus Licenses 10/09/20 - 09/09/21	\$2,203.47
25/09/2020 EFT-02005	Global Spill Control Pty Ltd	Covers for Li-ion and Ordinary Batteries	\$2,385.90
25/09/2020 EFT-02005	Castledine Gregory	Legal Expenses 3/8/20-12/8/20	\$3,242.80
25/09/2020 EFT-02005	Castledine Gregory	Legal Expenses 10/8/20-14/8/20	\$4,936.80
25/09/2020 EFT-02005	Castledine Gregory	Legal Expenses 10/8/20-13/8/20	\$5,517.60
25/09/2020 EFT-02005	Airwell Group Pty Ltd	Service 3rd - 7th Aug 2020	\$6,439.82
25/09/2020 EFT-02005	Nearmap Australia Pty Ltd	Aerial Mapping System - 26/8-25/8/2021	\$7,150.00

**Schedule of Payments for September 2020  
Council Meeting - 17th December 2020**

25/09/2020 EFT-02005	Western Tree Recyclers	Recycling greens - 219.17t for City of Joondalup	\$8,196.96
25/09/2020 EFT-02005	Gavin Burgess	Community battery collections - August 2020	\$8,520.60
25/09/2020 EFT-02005	Soft Landing	Recycling of 390 mattresses	\$10,725.00
25/09/2020 EFT-02005	Senversa Pty Ltd	Development/Completing the MAR	\$15,535.43
25/09/2020 EFT-02005	Workpower Incorporated	Restructure Labour Support August 2020	\$17,578.00
25/09/2020 EFT-02005	Soft Landing	Mattress recycling for Stirling Depot - Aug 2020	\$18,287.50
25/09/2020 EFT-02005	Soft Landing	Mattress recycling for City of Stirling - Aug 2020	\$28,589.00
25/09/2020 EFT-02005	Soft Landing	Recycling of Mattresses for Wanneroo	\$32,956.00
25/09/2020 EFT-02005	URBAN RESOURCES	Limestone Crushing - Quarry	\$59,592.49
25/09/2020 EFT-02005	WA Local Government Association	MWAC Contribution 2020-2021	\$71,369.98
30/09/2020 EFT-02006	City of Perth	TP Lease - October 2020 - Perth	\$5,576.52
30/09/2020 EFT-02006	Town of Cambridge	TP Lease - October 2020 - Cambridge	\$5,601.75
30/09/2020 EFT-02006	City of Joondalup	TP Lease - October 2020 - Joondalup	\$11,297.17
30/09/2020 EFT-02006	City of Stirling	TP Lease - October 2020 - Stirling	\$22,407.01
<b>Total EFT Payments</b>			<b>\$3,856,953.00</b>

<b>CBA Cheque No. 772 - 774</b>	<b>\$1,176.08</b>
<b>Electronic Payments:</b>	
<b>DP- 01844 to DP- 01849</b>	<b>\$156,724.92</b>
<b>Inter-Account Transfers</b>	<b>\$0.00</b>
<b>EFT- 01993 to EFT- 02006</b>	<b>\$3,856,953.00</b>
<b>Grand Total</b>	<b>\$4,014,854.00</b>

**CERTIFICATE OF CHIEF EXECUTIVE OFFICER**

This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 17th December 2020 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing and the amounts due for payment.

**Credit Card detailed analysis for September 2020**  
**Council Meeting - 17th December 2020**

<b>Date</b>	<b>Payment to</b>	<b>Description</b>	<b>Amount</b>
3-Sep-20	Megabuy Pty Ltd	Back Up Tapes	\$273.37
3-Sep-20	PLE Computers Pty Ltd	Logitech Camera & Cables	\$524.00
4-Sep-20	Tiisch	Meeting Hospitality	\$5.00
4-Sep-20	Tiisch	Meeting Hospitality	\$10.50
5-Sep-20	Wilson Parking	Parking	\$8.10
9-Sep-20	Zarraffas Coffee Currumbine	Meeting Hospitality	\$17.15
10-Sep-20	Who Gives a Crap	Staff Amenities - Toilet Paper	\$156.00
20-Sep-20	BP Station	Fuel	\$95.68
21-Sep-20	Dome Warwick	Meeting Hospitality	\$15.20
21-Sep-20	Dome Warwick	Meeting Hospitality	\$4.30
<b>Total CBA Credit Card - 28 August - 25 September 2020</b>			<b>\$1,109.30</b>

<b>List of Payments made to 31 October 2020</b>
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APPENDIX 5
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**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

<b>Cheque Posting Date</b>	<b>Document No.</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
15/10/2020	775	Water Corporation	Water Charges and Usage July - October 2020	\$4,870.49
23/10/2020	776	Cash	Staff Lotto	\$220.00
30/10/2020	777	Synergy	Electricity Period 14/08/20 - 14/10/20	\$76.51
<b>Total CBA cheques</b>				<b>\$5,167.00</b>
2/10/2020	DP-01851	Commonwealth Bank	CBA Merchant Fees - Sept 2020	\$1,310.40
2/10/2020	DP-01852	Commonwealth Bank	CBA Merchant Fees - Sept 2020	\$77.67
15/10/2020	DP-01853	Commonwealth Bank	CommBiz fees	\$37.46
15/10/2020	DP-01854	Commonwealth Bank	CBA Account Service fees	\$8.45
16/10/2020	DP-01850	Australian Taxation Office	BAS September 2020	\$129,173.00
28/10/2020	DP-01855	MRC Credit Card	See Schedule Attached	\$5,652.15
<b>Total Direct Payments &amp; Fees</b>				<b>\$136,259.13</b>
<b>Total Inter account Transfers</b>				<b>\$0.00</b>
<b>Posting Date</b>	<b>Document No.</b>	<b>Vendor Name</b>	<b>Details</b>	<b>EFT Amount</b>
2/10/2020	EFT-02007	360 Environmental P/L	Gas monitoring wells & mud issue	\$5,857.50
2/10/2020	EFT-02007	ALS Laboratory Services P/L	Ground Water Management WWTP analysis	\$2,557.50
2/10/2020	EFT-02007	Blackwoods & Atkins	Workshop stock brake cleaner	\$54.50
2/10/2020	EFT-02007	Bunnings	Rubbish bins	\$51.96
2/10/2020	EFT-02007	Bunnings	PVC piping	\$57.18
2/10/2020	EFT-02007	Bunnings	Paint - workshop consumables	\$28.88
2/10/2020	EFT-02007	Bunnings	Epoxy fillers & fibreglass resin	\$109.23
2/10/2020	EFT-02007	City of Wanneroo	TP Lease - Sept 2020 - Wanneroo	\$11,203.50
2/10/2020	EFT-02007	Couplers Malaga	Air Diaphragm fittings and bubble test fittings	\$1,427.67
2/10/2020	EFT-02007	COVS Parts Pty Ltd	Heavy Duty Grease x 12 tubes	\$112.33
2/10/2020	EFT-02007	COVS Parts Pty Ltd	Rethreading taps tools for workshop	\$97.47
2/10/2020	EFT-02007	Envirocare Systems	Neerabup Hygiene Services Monthly Subscription	\$231.77
2/10/2020	EFT-02007	Envirocare Systems	Tamala Park Hygiene Services Monthly Subscription	\$694.54
2/10/2020	EFT-02007	Illion (Australia) P/L	Debt collection commission	\$15.86

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

2/10/2020 EFT-02007	Iron Mountain Australia Pty Ltd	Data Storage - August 2020	\$103.21
2/10/2020 EFT-02007	IW Projects	Landfill Closure Cost Model Update	\$3,814.25
2/10/2020 EFT-02007	Kapish Services Pty Ltd	Kapish Annual Renewal 16/8/20-15/8/21	\$1,285.00
2/10/2020 EFT-02007	Mirco Bros Pty Ltd	Impact Sprinklers x 50 units	\$2,950.00
2/10/2020 EFT-02007	Office National Canning Vale	Various stationery items	\$135.57
2/10/2020 EFT-02007	Office National Canning Vale	Stationery - dispenser labels	\$15.72
2/10/2020 EFT-02007	Office National Canning Vale	Stationery - notebooks, stapler/staples	\$110.82
2/10/2020 EFT-02007	Office National Canning Vale	Photocopy paper	\$148.95
2/10/2020 EFT-02007	Office National Canning Vale	Stationery - dispenser labels	\$15.72
2/10/2020 EFT-02007	Olivers Lawn & Landscaping Pty Ltd	Ad-hoc grass cut behind recycling	\$250.00
2/10/2020 EFT-02007	Olivers Lawn & Landscaping Pty Ltd	Additional ad hoc gardening work at TP	\$585.10
2/10/2020 EFT-02007	Olivers Lawn & Landscaping Pty Ltd	Controller (irrigation) training & fixing 2 sprink	\$195.00
2/10/2020 EFT-02007	Olivers Lawn & Landscaping Pty Ltd	Parts for the TP lawn as per work in PO20216	\$106.95
2/10/2020 EFT-02007	Olivers Lawn & Landscaping Pty Ltd	RRF Lawns & Bushland Maintenance	\$440.00
2/10/2020 EFT-02007	Ornithological Technical Services	Bird Scaring Trial on Landfill	\$550.00
2/10/2020 EFT-02007	Panetta McGrath Lawyers Pty Ltd	Legal Expenses - Staffing Advice	\$663.30
2/10/2020 EFT-02007	Relationships Australia	EAP session	\$165.00
2/10/2020 EFT-02007	Relationships Australia	EAP Session	\$165.00
2/10/2020 EFT-02007	Security Specialists Australia Pty Ltd	Cash Security Collection July 2020	\$139.66
2/10/2020 EFT-02007	Security Specialists Australia Pty Ltd	Cash Security Collection August 2020	\$174.57
2/10/2020 EFT-02007	Seton Australia Pty Ltd	Two Light beacons for contractors	\$450.01
2/10/2020 EFT-02007	Signs & Lines	Pylon -Supply & install Industrial 4G WiFi Router	\$1,551.79
2/10/2020 EFT-02007	Signs & Lines	Pylon- attend site - initial visit	\$302.61
2/10/2020 EFT-02007	Starzone Holdings Pty Ltd	Plt 136 fire pump battery modification	\$588.50
2/10/2020 EFT-02007	Starzone Holdings Pty Ltd	Fitment of new jump start plugs to 3 x vehicles	\$1,757.80
2/10/2020 EFT-02007	Starzone Holdings Pty Ltd	Rainfall Diesel Pump Repairs	\$574.20
2/10/2020 EFT-02007	T & C Transport Services	Courier Expenses - August 2020	\$128.53
2/10/2020 EFT-02007	Department of Transport	Vehicle Searches	\$3.40
2/10/2020 EFT-02007	Tyrecycle P/L	Recycling of 113 tyres	\$931.33
2/10/2020 EFT-02007	Tyrecycle P/L	Recycling Tyres 09/09/20 140	\$1,762.98
2/10/2020 EFT-02007	Vertical Telecoms Pty Ltd	RRF Comm system 0/10/20-31/12/20	\$1,479.15
2/10/2020 EFT-02007	Wilson Security P/L	Security Patrols 24/08/20 - 31/08/20	\$1,617.00
2/10/2020 EFT-02007	Winc Australia P/L	Stationery	\$253.91
2/10/2020 EFT-02007	Winc Australia P/L	Kleenex Tissues	\$134.11
6/10/2020 EFT-02008	Telstra	Mobiles - 14/9/20 - 13/10/20	\$676.89
9/10/2020 EFT-02009	Payroll Employee Wages	PAYFE091020	\$85,528.32
8/10/2020 EFT-02010	Australian Taxation Office	PAYG	\$30,646.00
9/10/2020 EFT-02011	A1 Locksmiths	Read door access control	\$1,465.00
9/10/2020 EFT-02011	Australian Institute of Company Directors	AICD Membership 1/4/20-31/3/21 DCS	\$605.00
9/10/2020 EFT-02011	Bealesseez	Plt107 - Tana fuel repair	\$2,871.00
9/10/2020 EFT-02011	Blackwoods & Atkins	Pipe tape x 30	\$71.94

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

9/10/2020 EFT-02011	BOQ Asset Finance & Leasing Pty Ltd	Pronter Rental - October 2020	\$446.85
9/10/2020 EFT-02011	Bunnings	Castors for dry battery containers	\$126.32
9/10/2020 EFT-02011	Bunnings	Irrigation Poly pipe	\$46.63
9/10/2020 EFT-02011	City of Vincent	TP Lease - October 2020 - Vincent	\$5,601.75
9/10/2020 EFT-02011	Couplers Malaga	Fitting for the AD manifold	\$579.43
9/10/2020 EFT-02011	Couplers Malaga	10 x 3" bore valve for leachate bench manifold	\$768.57
9/10/2020 EFT-02011	COVS Parts Pty Ltd	Plt114 lighting tower alternator	\$327.15
9/10/2020 EFT-02011	COVS Parts Pty Ltd	Rags for workshop	\$50.11
9/10/2020 EFT-02011	Edith Cowan University	Research into Leachate concentrations	\$1,100.00
9/10/2020 EFT-02011	Eyewise Optical	Safety spectacles Waste Management Supervisor	\$600.00
9/10/2020 EFT-02011	Gavin Burgess	Community battery collections - September 2020	\$13,325.40
9/10/2020 EFT-02011	Great Southern Fuel Supplies	Fuel September 2020	\$26,476.80
9/10/2020 EFT-02011	Hello People	Apple Ipad upgrade Chemcapture	\$5,610.00
9/10/2020 EFT-02011	Kyocera Document Solutions	Papercut set up and License	\$1,613.70
9/10/2020 EFT-02011	Anne Lake Consultancy	Investigate additional staff entitlements	\$2,250.00
9/10/2020 EFT-02011	National Geotech	Nested g/w monitoring wells	\$135,960.00
9/10/2020 EFT-02011	Neverfail Springwater Ltd	Bottled water - 8 x 15 ltrs	\$54.60
9/10/2020 EFT-02011	Office National Canning Vale	Printing paper	\$83.71
9/10/2020 EFT-02011	Office National Canning Vale	Stationery - note books	\$3.34
9/10/2020 EFT-02011	Olivers Lawn & Landscaping Pty Ltd	Hedge work at Tamala Park September	\$675.00
9/10/2020 EFT-02011	Olivers Lawn & Landscaping Pty Ltd	Admin Lawn Maintenance at Tamala Park	\$185.00
9/10/2020 EFT-02011	Olivers Lawn & Landscaping Pty Ltd	Maintenance of RRF Bushland - Zone 2 September	\$440.00
9/10/2020 EFT-02011	Pro Water Services	Pump air valves and diaphragm end plate	\$1,540.00
9/10/2020 EFT-02011	Relationships Australia	EAP Session	\$165.00
9/10/2020 EFT-02011	Relationships Australia	EAP Session	\$165.00
9/10/2020 EFT-02011	Replas WA	Sanitiser stations for facility	\$3,037.32
9/10/2020 EFT-02011	Rowe Scientific Pty Ltd	Silca Gel Self Indicating Granules	\$203.39
9/10/2020 EFT-02011	Staff Australia	3 people 3 days litter pick up	\$2,046.09
9/10/2020 EFT-02011	Total Green Recycling Pty Ltd	E-waste recycling for September 01/09/20	\$931.51
9/10/2020 EFT-02011	Total Green Recycling Pty Ltd	E-waste recycling for September 11/09/20	\$836.42
9/10/2020 EFT-02011	Town of Victoria Park	TP Lease - October 2020 - Vic Park	\$5,601.75
9/10/2020 EFT-02011	Trade West Industrial Supplies	Black heavy duty gloves (XL 100 prs)	\$30.25
9/10/2020 EFT-02011	Tutt Bryant Equipment WA	Plt135 service	\$12,889.07
9/10/2020 EFT-02011	Tyrecycle P/L	Recycling Tyres 16/09/20 124	\$796.57
9/10/2020 EFT-02011	Wilson Security P/L	Building Security 1/09/20 - 07/09/20	\$1,617.00
9/10/2020 EFT-02011	Wilson Security P/L	Building Security 08/09/20 - 14/09/20	\$1,617.00
9/10/2020 EFT-02011	Work Clobber	Safety boots for Enviro Supervisor	\$118.80
9/10/2020 EFT-02011	Workpower Incorporated	Shop sales paid by EFTPOS 01/09/2020 - 10/09/2020	\$7,721.35
9/10/2020 EFT-02011	Wormald	Monthly HHW Fire Panel Inspections and Testing	\$107.62
9/10/2020 EFT-02011	Wren Oil	Waste engine oil collection - September	\$209.00
16/10/2020 EFT-02012	Telstra	Internet Charges - October 2020	\$1,210.00

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

21/10/2020 EFT-02013	Biovision 2020 Pty Ltd	Contractor's Fees - September 2020	\$3,046,345.19
21/10/2020 EFT-02014	Aurora Environmental (Perth) Pty Ltd	Asbestos Monitoring Oct-Nov 2019 (Late invoice)	\$481.58
21/10/2020 EFT-02014	Bunnings	Jerry Cans (water) and pipe plugs	\$86.44
21/10/2020 EFT-02014	Caltex Australia	Fuel September 2020 - BT	\$695.64
21/10/2020 EFT-02014	COVS Parts Pty Ltd	Plt110 - Sprayer valves x 7 - quick release	\$264.86
21/10/2020 EFT-02014	COVS Parts Pty Ltd	Traffic light stabilisers x 2	\$242.00
21/10/2020 EFT-02014	David Moss Corporation P/L	90mm piping for irrigation	\$1,959.32
21/10/2020 EFT-02014	Deliotte	Phase 3 - Consultancy	\$17,325.00
21/10/2020 EFT-02014	EMRC	CCA Disposal	\$632.00
21/10/2020 EFT-02014	Joondalup Mowers & Machinery	Service of 1st hedge trimmer	\$138.00
21/10/2020 EFT-02014	Joondalup Mowers & Machinery	Service of 2nd hedge trimmer	\$138.00
21/10/2020 EFT-02014	Joondalup Mowers & Machinery	Servicing of hedge trimmers parts	\$54.00
21/10/2020 EFT-02014	Marketforce P/L	FYW media management - September 2020	\$2,528.80
21/10/2020 EFT-02014	Neverfail Springwater Ltd	Bottled water - 8 x 15ltr bottles	\$62.40
21/10/2020 EFT-02014	Office National Canning Vale	Photocopy paper	\$45.84
21/10/2020 EFT-02014	Plants & Garden Rentals	Office Plants - October 2020	\$220.00
21/10/2020 EFT-02014	Stay Grounded Coffee Roasters	Coffee	\$140.00
21/10/2020 EFT-02014	Tyrecycle P/L	Recycling Tyres x 51 25/09/20	\$495.45
21/10/2020 EFT-02014	Western Tree Recyclers	Recycling Greens 17/09/20 - 315.88 tonnes	\$11,813.91
23/10/2020 EFT-02015	Payroll Employee Wages	PAYFE231020	\$81,754.99
23/10/2020 EFT-02016	Australian Taxation Office	PAYG	\$26,070.00
23/10/2020 EFT-02017	360 Environmental P/L	SEM Analysis September 2020	\$500.50
23/10/2020 EFT-02017	360 Environmental P/L	Site Time and Risk Assessment Report Delivery	\$2,401.30
23/10/2020 EFT-02017	A1 Locksmiths	Entire Site re-keying	\$11,002.65
23/10/2020 EFT-02017	Airwell Group Pty Ltd	September Service for leachate	\$5,600.00
23/10/2020 EFT-02017	Airwell Group Pty Ltd	September leachate service - additional day	\$995.26
23/10/2020 EFT-02017	Airwell Group Pty Ltd	Additional service for the leachate pumps on Mats	\$421.20
23/10/2020 EFT-02017	Airwell Group Pty Ltd	Service of Evaporation Mat pumps	\$1,000.00
23/10/2020 EFT-02017	Airwell Group Pty Ltd	Leachate - Service parts for September service	\$367.19
23/10/2020 EFT-02017	Alance Newspaper & Magazine Delivery	Newspapers 3/8/2020 - 27/9/2020	\$276.93
23/10/2020 EFT-02017	Bennett & Co (Lawfirst Pty Ltd)	AU TM 'face your waste' re potential assignment	\$680.00
23/10/2020 EFT-02017	City of Wanneroo	TP rates 20/21 from Wanneroo	\$7,726.51
23/10/2020 EFT-02017	Command A Com	Telephone Expenses - October 2020	\$1,267.11
23/10/2020 EFT-02017	ELO Digital Office AU/NA Pty Ltd	ELO Monthly Support	\$935.00
23/10/2020 EFT-02017	EMRC	Recycling Woodwaste 25/09/20	\$252.82
23/10/2020 EFT-02017	Enviro Sweep	Monthly Road Sweeping	\$594.00
23/10/2020 EFT-02017	Flick Anticimex P/L	6 weekly service for silverfish etc	\$294.58
23/10/2020 EFT-02017	Herbert Smith Freehills	Legal Expenses - RRF Agreement to 24/09/2020	\$7,090.60
23/10/2020 EFT-02017	Iron Mountain Australia Pty Ltd	Data Storage - September 2020	\$102.48
23/10/2020 EFT-02017	Kyocera Document Solutions	Photocopying Expenses - September 2020	\$336.56
23/10/2020 EFT-02017	LGISWA	Prepaid Insurance - Jan-Jun21 Liability	\$23,051.03

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

23/10/2020 EFT-02017	LGISWA	Prepaid Insurance - Jan-Jun21 Property Insurance	\$54,100.25
23/10/2020 EFT-02017	LGISWA	Prepaid Insurance - Jan-Jun 21 WorkCare	\$57,750.00
23/10/2020 EFT-02017	Position Partners	Landfill GPS sytems - monthly fee	\$2,200.00
23/10/2020 EFT-02017	Pro Water Services	Service of Air Diaphragm Pump 2	\$990.00
23/10/2020 EFT-02017	Pro Water Services	Leachate pump reassambly	\$660.00
23/10/2020 EFT-02017	Relationships Australia	EAP Session	\$165.00
23/10/2020 EFT-02017	Safemaster Safety Products	4th liner repairs to Stage 2 Phase 3	\$7,920.00
23/10/2020 EFT-02017	Soft Landing	MRC Mattress Removals Sept 2020	\$8,030.00
23/10/2020 EFT-02017	Soft Landing	Mattress recycling for Stirling On Demand Sept 2020	\$24,377.10
23/10/2020 EFT-02017	Soft Landing	Mattress recycling - Stirling RCB Sept 2020	\$18,370.00
23/10/2020 EFT-02017	Soft Landing	Mattresses recycled for Wanneroo Sept 2020	\$40,440.40
23/10/2020 EFT-02017	Suez Recycling & Recovery (Perth) P/L	Confidential Waste Paper - September 2020	\$52.04
23/10/2020 EFT-02017	Total Green Recycling Pty Ltd	E-waste recycling for September 18/09/20	\$817.40
23/10/2020 EFT-02017	Total Green Recycling Pty Ltd	E-waste recycling for September 25/09/20	\$667.55
23/10/2020 EFT-02017	Town of Cambridge	TP rates 20/21 from Cambridge	\$3,512.05
23/10/2020 EFT-02017	Western Tree Recyclers	CoJ Greens Waste Handling September 2020	\$6,033.74
23/10/2020 EFT-02017	Western Tree Recyclers	CoP Green Collection September 2020	\$1,421.99
23/10/2020 EFT-02017	Wren Oil	Waste engine oil collection - September 2020	\$225.50
23/10/2020 EFT-02018	Australian Super Administration	Staff Superannuation	\$53.93
23/10/2020 EFT-02018	Australian Super Administration	Staff Superannuation	\$59.38
23/10/2020 EFT-02018	Australian Super Administration	Staff Superannuation	\$2,241.54
23/10/2020 EFT-02018	CBus	Staff Superannuation	\$273.15
23/10/2020 EFT-02018	CBus	Staff Superannuation	\$243.25
23/10/2020 EFT-02018	CBus	Staff Superannuation	\$1,420.10
23/10/2020 EFT-02018	Colonial First State	Staff Superannuation	\$1,526.02
23/10/2020 EFT-02018	Commonwealth Bank Group Super	Staff Superannuation	\$55.17
23/10/2020 EFT-02018	Commonwealth Bank Group Super	Staff Superannuation	\$52.31
23/10/2020 EFT-02018	Commonwealth Bank Group Super	Staff Superannuation	\$1,343.58
23/10/2020 EFT-02018	Hesta Super Fund	Staff Superannuation	\$488.19
23/10/2020 EFT-02018	HostPlus	Staff Superannuation	\$499.03
23/10/2020 EFT-02018	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$440.60
23/10/2020 EFT-02018	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$375.98
23/10/2020 EFT-02018	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$2,918.93
23/10/2020 EFT-02018	Sunsuper	Staff Superannuation	\$392.69
23/10/2020 EFT-02018	Sunsuper	Staff Superannuation	\$353.21
23/10/2020 EFT-02018	Sunsuper	Staff Superannuation	\$2,051.24
23/10/2020 EFT-02018	TWU Superannuation Fund	Staff Superannuation	\$619.74
23/10/2020 EFT-02018	Walgs Plan Pty Ltd	Staff Superannuation	\$3,449.35
23/10/2020 EFT-02018	Walgs Plan Pty Ltd	Staff Superannuation	\$3,537.12
23/10/2020 EFT-02018	Walgs Plan Pty Ltd	Staff Superannuation	\$17,448.74
26/10/2020 EFT-02019	Easisalary PTY LTD	Staff Superannuation	\$479.84

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

26/10/2020 EFT-02019	Easisalary PTY LTD	Staff Superannuation	\$479.84
26/10/2020 EFT-02020	Easisalary PTY LTD	Staff Superannuation	\$479.84
27/10/2020 EFT-02021	Department of Water & Environment Regulation	DEP Landfill Levy July - Sept 2020	\$2,366,931.20
30/10/2020 EFT-02022	360 Environmental P/L	Soil Sampling Investigation - partial payment	\$12,947.00
30/10/2020 EFT-02022	Australian Services Union	Staff Union Fees	\$25.90
30/10/2020 EFT-02022	Australian Services Union	Staff Union Fees	\$25.90
30/10/2020 EFT-02022	Bale Data Services	Till rolls - Cash Register x 6 cartons	\$277.73
30/10/2020 EFT-02022	Chubb Fire Safety Pty Ltd	Test and Tag of fire fighting equipment site wide	\$1,736.38
30/10/2020 EFT-02022	City of Joondalup	TP Lease - November 2020 - Joondalup	\$11,297.17
30/10/2020 EFT-02022	City of Perth	TP Lease - November 2020 - Perth	\$5,576.52
30/10/2020 EFT-02022	City of Stirling	TP Lease - November 2020 - Stirling	\$22,407.01
30/10/2020 EFT-02022	City of Wanneroo	TP Lease - November 2020 - Wanneroo	\$11,203.50
30/10/2020 EFT-02022	Data#3	Microsoft Office Licenses - 1/11/20-31/10/21	\$12,875.85
30/10/2020 EFT-02022	DCM Services	Quarterly Aircon Servicing - October 2020	\$704.00
30/10/2020 EFT-02022	Envirocare Systems	Neerabup Hygiene Services July 20 - June 2021	\$231.77
30/10/2020 EFT-02022	Envirocare Systems	Tamala Park Hygiene Services July 20 - June 2021	\$694.54
30/10/2020 EFT-02022	Gentronics	Hardfacing welding wire x 2	\$1,390.14
30/10/2020 EFT-02022	Instant Products Group	Chemical toilet monthly hire, restock & cleaning	\$259.03
30/10/2020 EFT-02022	Ironcat Tyres	Plt110 tyres & Plt120 puncture repairs	\$2,235.00
30/10/2020 EFT-02022	John Shepherd	Fridge for transfer crib room	\$470.00
30/10/2020 EFT-02022	Kitec Electrical Services	Generator Battery Charger Replacement	\$704.00
30/10/2020 EFT-02022	Komatsu Australia	Plt131 bucket blade bolts and nuts	\$536.14
30/10/2020 EFT-02022	Komatsu Australia	Plt131 bucket blade washers	\$5.29
30/10/2020 EFT-02022	Kyocera Document Solutions	Kyocera Numeric Keypad	\$68.75
30/10/2020 EFT-02022	Landfill Gas & Power Pty Ltd	Electricity - August 2020	\$11,711.17
30/10/2020 EFT-02022	Local Government Professionals Australia	City of Perth Presentation	\$100.00
30/10/2020 EFT-02022	Lynn Douglas	Staff Amenities Milk & sugar	\$203.00
30/10/2020 EFT-02022	Magicorp Pty Ltd	Subscriptions for On Hold Messages	\$49.50
30/10/2020 EFT-02022	Marketforce P/L	Website update	\$479.95
30/10/2020 EFT-02022	Mirco Bros Pty Ltd	500 m 25mm pipe	\$500.00
30/10/2020 EFT-02022	Neverfail Springwater Ltd	Bottled Water - 8 x 15ltr bottles	\$62.40
30/10/2020 EFT-02022	Price Consulting Group Pty Ltd	CEO Performance Review 2020	\$2,886.95
30/10/2020 EFT-02022	Pro Water Services	GRACO parts for the summer period (AD pumps)	\$12,091.18
30/10/2020 EFT-02022	Remondis Australia Pty Ltd	Recycling of Baled Cardboard - collection cost	\$1,248.50
30/10/2020 EFT-02022	Satellite Security Services P/L	Sensor Replacement	\$200.20
30/10/2020 EFT-02022	Security Specialists Australia Pty Ltd	Cash Security Collection - September 2020	\$139.66
30/10/2020 EFT-02022	Specialist News P/L	OSH Alert Subscription	\$939.00
30/10/2020 EFT-02022	T & C Transport Services	Courier Expenses - September 2020	\$258.77
30/10/2020 EFT-02022	Tod Woodward	Staff function 5.12.2020 - Entertainment	\$500.00
30/10/2020 EFT-02022	Town of Cambridge	TP Lease - November 2020 - Cambridge	\$5,601.75
30/10/2020 EFT-02022	Tyrecycle P/L	Tyre Recycling x 156 tyres 09/10/20	\$1,453.94

**Schedule of Payments for October 2020  
Council Meeting - 17th December 2020**

30/10/2020 EFT-02022	Water2water P/L	Sanitisation of ice machines after COVID	\$756.40
30/10/2020 EFT-02022	Wilfred Higo	Spectacle Allowance W Higo	\$200.00
30/10/2020 EFT-02022	Winc Australia P/L	Printer Cartridge 55A W/Bridge	\$179.07
30/10/2020 EFT-02022	Winc Australia P/L	Coffee, tissues & floor cleaner	\$176.90
<b>Total EFT Payments</b>			<b>\$6,422,826.77</b>

<b>CBA Cheque No. 772 - 774</b>	<b>\$5,167.00</b>
<b>Electronic Payments:</b>	
<b>DP- 01844 to DP- 01849</b>	<b>\$136,259.13</b>
<b>Inter-Account Transfers</b>	<b>\$0.00</b>
<b>EFT- 01993 to EFT- 02006</b>	<b>\$6,422,826.77</b>
<b>Grand Total</b>	<b>\$6,564,252.90</b>

**CERTIFICATE OF CHIEF EXECUTIVE OFFICER**

This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 17th December 2020 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing and the amounts due for payment.

**Credit Card detailed analysis for October 2020**  
**Council Meeting - 17th December 2020**

<b>Date</b>	<b>Payment to</b>	<b>Description</b>	<b>Amount</b>
26-Sep-20	Bird Control Australia	Bird Control Laser	\$619.85
26-Sep-20	Wilson Parking	Parking	\$6.80
30-Sep-20	Leapfrog Café	Hospitality	\$145.90
30-Sep-20	Balthazar Restaurant	Hospitality	\$200.00
30-Sep-20	ASIC	Vendor Check x 2	\$34.00
1-Oct-20	Lot Six Zero Innaloo	Hospitality	\$8.69
2-Oct-20	Cardsprint	Photo Identification Card	\$15.40
9-Oct-20	Outback Enterprises	Fuel	\$79.42
11-Oct-20	Bindoon Roadhouse	Fuel	\$93.51
12-Oct-20	Officeworks	Stationery	\$129.00
14-Oct-20	AQWA	Deposit Christmas Annual Function	\$500.00
15-Oct-20	IPAA	Refund of Conference	-\$1,260.00
16-Oct-20	Skoolsport Equipment	Bird Control Gun	\$703.60
16-Oct-20	Balthazar Restaurant	Hospitality	\$1,600.00
17-Oct-20	Easypark Pay by Phone	Parking	\$0.58
19-Oct-20	Brown Spoon Victoria Park	Hospitality	\$17.17
19-Oct-20	Brown Spoon Victoria Park	Hospitality	\$5.05
20-Oct-20	Easypark Pay by Phone	Parking	\$0.58
20-Oct-20	ASIC	Vendor Check	\$17.00
22-Oct-20	ATI Mirage	Excel Training Course	\$2,529.00
26-Oct-20	Charity Greeting Cards	Christmas Cards	\$206.60
<b>Total CBA Credit Card - 26 September - 26 October 2020</b>			<b>\$5,652.15</b>



**Proposed Mindarie Regional Council Waste Facility Site Local Law 2020**  
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Item  
9.4

APPENDIX 6

Item  
9.4

**LOCAL GOVERNMENT ACT 1995**  
**MINDARIE REGIONAL COUNCIL**  
**WASTE FACILITY SITE AMENDMENT LOCAL LAW 2020**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on *17 December 2020* to make the following local law.

**1. Title Citation**

This local law may be cited as the *Mindarie Regional Council Waste Facility Site Amendment Local Law 2020*.

**2. Commencement**

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

**3. Principal Local Law Amended**

This local law amends the Mindarie Regional Council Waste Facility Site Local Law 2013 as published in the Government Gazette on 12 May 2012 and as amended in the Government Gazette on 15 March 2013.

**4. Clause 4**

In clause 4 amend the following definition in alphabetical order:

- (a) Insert **“contamination** in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value”;
- (b) Insert **“disability parking permit** has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*”;
- (c) Delete **“ACROD sticker** has the same meaning as given in the *Local Government (Parking for Disabled Persons) Regulations 1988*”.

**5. Clause 5**

Clause 5 is amended as follows:

- (a) Delete “Lot 9504 on Plan 52070” and replace with “Parcel 39285 = Part Lot 9026 on Deposited Plan 415564 as known on certificate of title 2971/931”; and
- (b) Delete “Mindarie” and replace with “Tamala Park”.

**6. Clause 7**

In clause 7(1) delete “thinks” and replace with “considers”.

**7. Clause 11**

In Clause 11 delete “an ACROD sticker” and replace with “a disability parking permit”.

**8. Clause 13**

In Clause 13 amended as follows:

- (a) Removed item 3 “1” and “2” inserted “a” and “b”,
- (b) Removed “around or near”.

**9. Clause 15**

In Clause 15 amended as follows:

- (a) Inserted to the clause title “culture heritage”

- (b) Insert “(d) intentionally disturb and/or remove cultural significant artefacts from the site”.

#### **10. Clause 16**

In Clause 16 amended as follows:

- (a) Inserted to clause title “Environmental spill”
- (b) Insert (c) “discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air
- (c) Delete (2) “Any person found littering under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued”.

#### **11. Clause 21**

In Clause 21 delete “Any person found lighting fires under this local law is liable, upon conviction, to a penalty not exceeding \$1000”.

#### **12. Part 7 - Waste Disposal Services**

Insert “Part 7 - Waste Disposal Services”

Insert Clause 27 as follow:

- (a) Inserted “Hours of operation  
The local government may from time to time determine the hours of operation of a waste facility”.
- (b) Inserted 27A “Depositing Waste
  - (1) A person must not deposit waste at a waste facility other than—
    - (a) at a location determined by a sign and in accordance with the sign; and
    - (b) in accordance with the direction of an authorised person.
  - (2) The local government may determine the classification of any waste that may be deposited at a waste facility”.
- (c) Insert 27B “Fees and charges
  - (1) A person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
  - (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
  - (3) Subclause (1) does not apply—
    - (a) to a person who disposes of waste in accordance with the terms of—
      - (i) a credit arrangement with the local government; or
      - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
    - (b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.
  - (4) All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with 6.16 to 6.19 of the Act”.

**13. Schedule 1**

In Schedule 1, delete the existing table and replace with the following

<b>Item Number.</b>	<b>Clause No.</b>	<b>Nature of offence</b>	<b>Modified Penalties \$</b>
<b>1</b>	7(4)(a) and (b)	Enter the site or any part of the site that is closed; or drive a vehicle on a road, track or path that is closed.	<b>100</b>
<b>2</b>	8	Enter the site other than through an entrance without permission.	<b>100</b>
<b>3</b>	11(1) (a)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place, other than a parking area, that is off a carriageway.	<b>100</b>
<b>4</b>	11(1)(b)	Park a vehicle, or cause or permit it to be parked, on the site without permission on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign.	<b>100</b>
<b>5</b>	11(1)(c)	Park a vehicle, or cause or permit it to be parked, on the site without permission during a period when the person is not on the site, whether or not the vehicle is parked in a parking area.	<b>100</b>
<b>6</b>	11(1)(d)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay.	<b>100</b>
<b>7</b>	11(1) (e)	Park a vehicle or vehicles in an area designated for a person or persons with a disability, unless the person or persons with a disability is the driver of, or a passenger in, the vehicle and an disability parking permit is displayed in a prominent position on the vehicle.	<b>100</b>
<b>8</b>	13(2)	Damage, destroy or take away flora without permission.	<b>100</b>
<b>9</b>	14(2)	Injure, take, or interfere with any fauna without permission.	<b>100</b>
<b>10</b>	15(d)	Damage, destroy or take cultural sensitive items	<b>100</b>
<b>11</b>	16(1)	Deposit litter other than in a litter receptacle.	<b>100</b>
<b>12</b>	16(d)	Environmental Contamination, discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air.	<b>100</b>
<b>13</b>	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	<b>100</b>
<b>14</b>	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	<b>100</b>
<b>15</b>	21	Light a fire (minor impact, managed on site) or use a gas barbecue or other cooker without permission.	<b>100</b>
<b>16</b>	21	Light a fire – (significant impact e.g. call of DFES)	<b>100</b>
<b>17</b>	24(1)	Disturb or remove property from the site without permission.	<b>100</b>
<b>18</b>	27A(1) (2)	Fail to comply with a sign or direction	<b>100</b>
<b>19</b>	27B(1) (2)	Disposing waste without payment of fee or charge	<b>100</b>
<b>20</b>	27A(1) (2)	Depositing waste contrary to sign or direction	<b>100</b>

Dated: *17 December 2020*

The Common Seal of the Mindarie Regional Council was affixed by authority of a resolution of the Council in the presence of:

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Cr David Boothman, Chairperson

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Mr Gunther Hoppe, Chief Executive Officer

**Local Government Act 1995**

**Mindarie Regional Council**

**Waste Facility Local Law 2020**

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ARRANGEMENT

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**Part 1 — Preliminary**

1. Title Citation
2. Commencement
3. Principal Local Law Amended
4. Interpretations used in this Local Law
5. Site
6. Permissions

**Part 2 — Access to the site**

7. Local government may restrict access
8. Unauthorised entry
9. Defence

**Part 3 — Regulation of vehicles**

10. Traffic signs and directions
11. Parking
12. Emergency vehicles

**Part 4 — Protection of the environment**

13. Protection of flora and fungi
14. Protection of fauna
15. Protection of rocks, soil, culture heritage etc.
16. Litter/Environmental spill

**Part 5 — Control of certain activities**

17. Unauthorised structures
18. Unauthorised trading, etc.
19. Commercial photography
20. Unauthorised advertising
21. Lighting fires etc.
22. Explosive devices
23. Camping
24. Unauthorised removal of property

**Part 6 — Enforcement**

25. Offences
26. Prescribed offences

**Part 7— Waste Disposal Services**

27. Hours of operation
- 27A. Disposing waste
- 27B. Fees and Charges

**Schedule 1 - Prescribed Offences**

**Local Government Act 1995**  
**Mindarie Regional Council**  
**Waste Facility Site Local Law 2020**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on 17 December 2020 to make the following local law.

**Part 1 — Preliminary**

**1. Title Citation**

This local law is the *Mindarie Regional Council Waste Facility Site Local Law 2020*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal Local Law Amended**

This local law amends the Mindarie Regional Council Waste Facility Site Local Law 2013 as published in the *Government Gazette* on 12 May 2012 and as amended in the *Government Gazette* on 15 March 2013.

**4. Interpretations used in this Local Law**

In this local law, unless the contrary intention appears —

**Act** means the *Local Government Act 1995*;

**authorised officer** means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions under this Local Law;

**carriageway** has the same meaning as it has in the *Road Traffic Code 2000*;

**contamination** in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value.

**disability parking permit** has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

**drive** has the same meaning as in the *Road Traffic Act 1974*;

**emergency vehicle** has the same meaning as in the *Road Traffic Code 2000*;

**local government** means the Mindarie Regional Council;

**litter** has the same meaning as given in the *Litter Act 1979*;

**parking area** means an area designated for the parking of vehicles;

**permission** has the meaning given in clause 6;

**protection** in relation to the environment, includes conservation, preservation, enhancement and management thereof: *has the same meaning as given in the Environmental Protection Act 1984*;

**road** has the same meaning as given in the *Road Traffic Act 1974*;

**sign** includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

**site** has the meaning given in clause 5;

**traffic sign** has the meaning given to it by the *Road Traffic Code 2000*;

**unattended** in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle:

- (a) restricting or regulating the use of roads, tracks or paths on the site; or
- (b) prohibiting, restricting or regulating the use, standing or parking of vehicles on the site;

**vehicle** has the same meaning as given in the *Road Traffic Act 1974*.

## 5. Site

The site is all of the land being Parcel 39285 = Part Lot 9026 on Deposited Plan 415564 as shown on certificate of title 2971/931 known as 1700 Marmion Avenue, Tamala Park, Western Australia.

## 6. Permissions

- (1) Where a provision of this local law states that an act or activity must not be done or carried on without permission, the reference to permission is to the permission of the local government.
- (2) For the purposes of any such provision, the local government may refuse permission or in the exercise of its power, it may grant permission —
  - (a) generally or for any specific instance; or
  - (b) on and subject to such terms and conditions as it considers appropriate including terms and conditions as to —
    - (i) the part of the site to which the permission applies;
    - (ii) the class or description of persons to whom the permission extends; or
    - (iii) the payment of any fee or charge whether before the act is done or the activity is commenced or otherwise.
- (3) The local government may amend or revoke a permission that has been granted.
- (4) A permission must be in writing and must be obtained before the act is done or the activity is commenced.
- (5) Where a permission has been given to a person subject to any condition, the permission is to be taken to have lapsed during any period when the condition was not observed or performed according to its tenor by that person.

## Part 2 — Access to the site

### 7. Local government may restrict access

- (1) The local government may —
  - (a) close the site or part of the site; or



- (b) close a road, track or path on the site, or
- (c) otherwise restrict access

to pedestrians or vehicles or both for such period as the local government considers fit.

- (2) Where the local government closes any part of the site including a road, track or path on the site, it shall erect signs to give effect to the closure.
- (3) The inscription on a sign erected or established under this clause operates according to its tenor.
- (4) A person must not, without written permission —
  - (a) enter the site or any part of the site that is for the time being closed under this clause; or
  - (b) drive a vehicle on a road, track, bushland or path that is for the time being closed under this clause.

#### **8. Unauthorised entry**

A person must not, without written permission, enter or attempt to enter the site except through an entrance provided by the local government for that purpose.

#### **9. Defence**

It is a defence for the defendant to prove that the act complained of was necessary to prevent or mitigate injury to a person or damage to property.

### **Part 3 — Regulation of vehicles**

#### **10. Traffic signs and directions**

- (1) The local government may erect or establish traffic signs on the site.
- (2) The inscription on a traffic sign operates according to its tenor.
- (3) A person must comply with —
  - (a) the inscription on a traffic sign erected or established under subclause (1); or
  - (b) a signal or direction by an authorised officer as to the use, parking or movement of a vehicle that is addressed to the person and that is reasonably required for the regulation of traffic on the site.

#### **11. Parking**

- (1) A person must not, without permission, park a vehicle, or cause or permit it to be parked, on the site —
  - (a) in a place, other than a parking area, that is off a carriageway;
  - (b) on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign;
  - (c) during a period when the person is not on the site, whether or not the vehicle is parked in a parking area;
  - (d) in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay; or
  - (e) in an area designated for the parking of vehicles of people with a disability,

unless —

- (i) a person with a disability is the driver of, or a passenger in the vehicle; and
  - (ii) a disability parking permit is displayed in a prominent position on the vehicle.
- (2) Any person, who commits a parking offence under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued.

## 12. Emergency vehicles

In an emergency situation a driver of an emergency vehicle may park or stop that emergency vehicle at any place on the site at any time when it is expedient and safe to do so.

## Part 4 — Protection of the environment

### 13. Protection of flora and fungi

- (1) In this clause —  
**flora** means any form of plant life including any part, seeds or spores;  
**fungi** means yeast, mould, smuts, mushrooms and toadstools; and  
**take** includes gather, pluck, cut, pull up and dig up.
- (2) A person must not, without written authorisation under another written law, intentionally damage, destroy or take any flora, or fungi living or dead on the site.
- (3) A person must not, without written authorisation, intentionally remove any stake-supporting label on or near;
- (a) protective fencing; or
  - (b) any flora or fungi living or dead on the site.

### 14. Protection of fauna

- (1) In this clause —  
**fauna** means any living thing that is not a human being or a plant and the eggs and immature stages of any such living thing; and  
**take** includes remove, catch, trap and snare.
- (2) A person must not, without written authorisation under any other written law, injure, take, or interfere with any fauna on the site.
- (3) A person must not, without written authorisation under any other written law, intentionally carry or have in the person's possession on the site, a trap, cage, net, or other device for taking or transporting fauna.
- (4) A person must not, without written authorisation under any other written law, intentionally lay or place any trap, net or other device for the taking of fauna on the site.
- (5) A person must not, or without written authorisation under another written law,

intentionally interfere with or destroy any nest or habitat of fauna on the site.

**15. Protection of rocks, soil, culture heritage etc.**

A person must not, without written authorisation under any other written law —

- (a) intentionally remove, damage, interfere with or mark any rock or other geological material on the site;
- (b) intentionally remove or displace soil on the site;
- (c) intentionally otherwise damage or interfere with the natural surface of the site; or
- (d) intentionally disturb and/or remove cultural significant artefacts from the site.

**16. Litter/Environmental spill**

(1) A person must not,—

- (a) deposit litter, or cause litter to be deposited, on the site unless the litter is deposited in a litter receptacle;
- (b) deposit litter, or cause litter to be deposited, in a litter receptacle on the site if the litter was not generated on the site; or
- (c) discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air

**Part 5 — Control of certain activities**

**17. Unauthorised structures**

(1) In this clause —

**structure** means a building, tent, shelter, fence or other thing that is fixed permanently or temporarily, to land or to anything that is fixed to land.

(2) A person must not, without permission, erect or place a structure on the site.

**18. Unauthorised trading, etc.**

A person must not, without written authorisation —

- (a) sell or hire, any goods or services;
- (b) provide any service or conduct any business or activity for fee or reward;
- (c) sell, distribute, or offer or expose for sale or distribute any printed or written material on the site.

**19. Commercial photography**

A person must not, without permission, take still or motion pictures on the site by photographic or electronic means for —

- (a) the purpose of public display, broadcast or transmission; or
- (b) use in the promotion or sale of goods or services.

**20. Unauthorised advertising**

A person must not, without written permission —

- (a) place any notice, advertisement or document on any structure, object or

natural surface on the site;

- (b) paint, mark or deface any structure, object or natural surface on the site.
- (c) cause any of the acts prohibited by paragraph (a) or (b) to be done by another person.

**21. Lighting fires etc.**

- (1) A person must not, without written permission —
  - (a) light a fire; or
  - (b) use a gas barbecue or other cooker, on the site.

**22. Explosive devices**

A person must not, without written permission, possess, throw, set off or ignite a firework, sparkler or other explosive device on the site.

**23. Camping**

- (1) In this clause —  
**camp** means to stay or lodge, whether in a tent, temporary shelter, vehicle or otherwise.
- (2) A person must not camp on the site without written authorisation.

**24. Unauthorised removal of property**

- (1) A person must not remove or disturb any property on the site without written authorisation.
- (2) Subclause (1) does not apply to the owner of the property or to any person legally entitled to possession of the property.

**Part 6—Enforcement**

**25. Offences**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued.

**26. Prescribed offences**

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

## **Part 7—Waste Disposal Services**

### **27. Hours of operation**

The local government may from time to time determine the hours of operation of a waste facility.

### **27A. Depositing Waste**

- (1) A person must not deposit waste at a waste facility other than—
  - (a) at a location determined by a sign and in accordance with the sign; and
  - (b) in accordance with the direction of an authorised person.
- (2) The local government may determine the classification of any waste that may be deposited at a waste facility.

### **27B. Fees and charges**

- (1) A person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
  - (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
  - (3) Subclause (1) does not apply—
    - (a) to a person who disposes of waste in accordance with the terms of—
      - (i) a credit arrangement with the local government; or
      - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
    - (b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.
  - (4) All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with 6.16 to 6.19 of the Act.
-

**Schedule 1****Prescribed Offences**

[clause 26]

**Modified Penalties**

<b>Item Number.</b>	<b>Clause No.</b>	<b>Nature of offence</b>	<b>Modified Penalties \$</b>
<b>1</b>	7(4)(a) and (b)	Enter the site or any part of the site that is closed; or drive a vehicle on a road, track or path that is closed.	<b>100</b>
<b>2</b>	8	Enter the site other than through an entrance without permission.	<b>100</b>
<b>3</b>	11(1) (a)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place, other than a parking area, that is off a carriageway.	<b>100</b>
<b>4</b>	11(1)(b)	Park a vehicle, or cause or permit it to be parked, on the site without permission on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign.	<b>100</b>
<b>5</b>	11(1)(c)	Park a vehicle, or cause or permit it to be parked, on the site without permission during a period when the person is not on the site, whether or not the vehicle is parked in a parking area.	<b>100</b>
<b>6</b>	11(1)(d)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay.	<b>100</b>
<b>7</b>	11(1) (e)	Park a vehicle or vehicles in an area designated for a person or persons with a disability, unless the person or persons with a disability is the driver of, or a passenger in, the vehicle and a disability parking permit is displayed in a prominent position on the vehicle.	<b>100</b>
<b>8</b>	13(2)	Damage, destroy or take away flora without permission.	<b>100</b>
<b>9</b>	14(2)	Injure, take, or interfere with any fauna without permission.	<b>100</b>
<b>10</b>	15(d)	Damage, destroy or take cultural sensitive items	<b>100</b>
<b>11</b>	16(1)	Deposit litter other than in a litter receptacle.	<b>100</b>
<b>12</b>	16(d)	Environmental Contamination, discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air.	<b>100</b>
<b>13</b>	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	<b>100</b>
<b>14</b>	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	<b>100</b>
<b>15</b>	21	Light a fire (minor impact, managed on site) or use a gas barbecue or other cooker without permission.	<b>100</b>
<b>16</b>	21	Light a fire – (significant impact e.g. call of DFES)	<b>100</b>
<b>17</b>	24(1)	Disturb or remove property from the site without permission.	<b>100</b>

<b>18</b>	27A(1) (2)	Fail to comply with a sign or direction	<b>100</b>
<b>19</b>	27B(1) (2)	Disposing waste without payment of fee or charge	<b>100</b>
<b>20</b>	27A(1) (2)	Depositing waste contrary to sign or direction	<b>100</b>

Dated 17 December 2020

**THE COMMON SEAL of MINDARIE**       )  
**REGIONAL COUNCIL** was                       )  
 affixed pursuant to a resolution of the       )  
 Council in the presence of—

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**David Boothman**  
**Chairperson**

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**Günther Hoppe**  
**Chief Executive Officer**

**Proposed Mindarie Regional Council Waste Facility Site Local Law 2020  
tracked changes**

Item  
9.4

APPENDIX 7

Item  
9.4



**LOCAL GOVERNMENT ACT 1995**  
**MINDARIE REGIONAL COUNCIL**  
**WASTE FACILITY SITE AMENDMENT LOCAL LAW 2020**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on *17 December 2020* to make the following local law.

**1. Title Citation**

This local law may be cited as the *Mindarie Regional Council Waste Facility Site Amendment Local Law 2020*.

**2. Commencement**

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

**3. Principal Local Law Amended**

This local law amends the Mindarie Regional Council Waste Facility Site Local Law 2013 as published in the Government Gazette on 12 May 2012 and as amended in the Government Gazette on 15 March 2013.

**4. Clause 4**

In clause 4 amend the following definition in alphabetical order:

- (a) Insert **“contamination** in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value”;
- (b) Insert **“disability parking permit** has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*”;
- (c) Delete **“ACROD sticker** has the same meaning as given in the *Local Government (Parking for Disabled Persons) Regulations 1988*”.

**5. Clause 5**

Clause 5 is amended as follows:

- (a) Delete “Lot 9504 on Plan 52070” and replace with “Parcel 39285 = Part Lot 9026 on Deposited Plan 415564 as known on certificate of title 2971/931”; and
- (b) Delete “Mindarie” and replace with “Tamala Park”.

**6. Clause 7**

In clause 7(1) delete “thinks” and replace with “considers”.

**7. Clause 11**

In Clause 11 delete “an ACROD sticker” and replace with “a disability parking permit”.

**8. Clause 13**

In Clause 13 amended as follows:

- (a) Removed item 3 “1” and “2” inserted “a” and “b”,
- (b) Removed “around or near”.

**9. Clause 15**

In Clause 15 amended as follows:

- (a) Inserted to the clause title “culture heritage”

- (b) Insert “(d) intentionally disturb and/or remove cultural significant artefacts from the site”.

#### **10. Clause 16**

In Clause 16 amended as follows:

- (a) Inserted to clause title “Environmental spill”
- (b) Insert (c) “discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air
- (c) Delete (2) “Any person found littering under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued”.

#### **11. Clause 21**

In Clause 21 delete “Any person found lighting fires under this local law is liable, upon conviction, to a penalty not exceeding \$1000”.

#### **12. Part 7 - Waste Disposal Services**

Insert “Part 7 - Waste Disposal Services”

Insert Clause 27 as follow:

- (a) Inserted “Hours of operation  
The local government may from time to time determine the hours of operation of a waste facility”.
- (b) Inserted 27A “Depositing Waste
  - (1) A person must not deposit waste at a waste facility other than—
    - (a) at a location determined by a sign and in accordance with the sign; and
    - (b) in accordance with the direction of an authorised person.
  - (2) The local government may determine the classification of any waste that may be deposited at a waste facility”.
- (c) Insert 27B “Fees and charges
  - (1) A person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
  - (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
  - (3) Subclause (1) does not apply—
    - (a) to a person who disposes of waste in accordance with the terms of—
      - (i) a credit arrangement with the local government; or
      - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
    - (b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.
  - (4) All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with 6.16 to 6.19 of the Act”.

**13. Schedule 1**

In Schedule 1, delete the existing table and replace with the following

<b>Item Number.</b>	<b>Clause No.</b>	<b>Nature of offence</b>	<b>Modified Penalties \$</b>
<b>1</b>	7(4)(a) and (b)	Enter the site or any part of the site that is closed; or drive a vehicle on a road, track or path that is closed.	<b>100</b>
<b>2</b>	8	Enter the site other than through an entrance without permission.	<b>100</b>
<b>3</b>	11(1) (a)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place, other than a parking area, that is off a carriageway.	<b>100</b>
<b>4</b>	11(1)(b)	Park a vehicle, or cause or permit it to be parked, on the site without permission on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign.	<b>100</b>
<b>5</b>	11(1)(c)	Park a vehicle, or cause or permit it to be parked, on the site without permission during a period when the person is not on the site, whether or not the vehicle is parked in a parking area.	<b>100</b>
<b>6</b>	11(1)(d)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay.	<b>100</b>
<b>7</b>	11(1) (e)	Park a vehicle or vehicles in an area designated for a person or persons with a disability, unless the person or persons with a disability is the driver of, or a passenger in, the vehicle and an disability parking permit is displayed in a prominent position on the vehicle.	<b>100</b>
<b>8</b>	13(2)	Damage, destroy or take away flora without permission.	<b>100</b>
<b>9</b>	14(2)	Injure, take, or interfere with any fauna without permission.	<b>100</b>
<b>10</b>	15(d)	Damage, destroy or take cultural sensitive items	<b>100</b>
<b>11</b>	16(1)	Deposit litter other than in a litter receptacle.	<b>100</b>
<b>12</b>	16(d)	Environmental Contamination, discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air.	<b>100</b>
<b>13</b>	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	<b>100</b>
<b>14</b>	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	<b>100</b>
<b>15</b>	21	Light a fire (minor impact, managed on site) or use a gas barbecue or other cooker without permission.	<b>100</b>
<b>16</b>	21	Light a fire – (significant impact e.g. call of DFES)	<b>100</b>
<b>17</b>	24(1)	Disturb or remove property from the site without permission.	<b>100</b>
<b>18</b>	27A(1) (2)	Fail to comply with a sign or direction	<b>100</b>
<b>19</b>	27B(1) (2)	Disposing waste without payment of fee or charge	<b>100</b>
<b>20</b>	27A(1) (2)	Depositing waste contrary to sign or direction	<b>100</b>

Dated: *17 December 2020*

The Common Seal of the Mindarie Regional Council was affixed by authority of a resolution of the Council in the presence of:

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Cr David Boothman, Chairperson

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Mr Gunther Hoppe, Chief Executive Officer

**Local Government Act 1995**  
**Mindarie Regional Council**  
**Waste Facility Local Law 2020**

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ARRANGEMENT

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**Part 1 — Preliminary**

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7. Local government may restrict access
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- ~~26.~~ ~~Depositing Waste~~Prescribed offences
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**Part ~~7~~67 — ~~Enforcement~~Waste Disposal Services**

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**Schedule 1 - Prescribed Offences**

**Local Government Act 1995**  
**Mindarie Regional Council**  
**Waste Facility Site Local Law 2020**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on ~~the (to be confirmed)~~ 17 December 2020 to make the following local law.

**Part 1 — Preliminary**

**1. Title Citation**

This local law is the *Mindarie Regional Council Waste Facility Site Local Law 2020*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal Local Law Amended**

This local law amends the Mindarie Regional Council Waste Facility Site Local Law 2013 as published in the Government Gazette on 12 May 2012 and as amended in the Government Gazette on 15 March 2013.

**Repeal**

~~The *Mindarie Regional Council Tamala Park Local Law 2002* published in the *Government Gazette* on 27 December 2002 is repealed.~~

**4. Interpretations used in this Local Law**

In this local law, unless the contrary intention appears —

~~*ACROD sticker* has the same meaning as given in the *Local Government (Parking for Disabled Persons) Regulations 1988*;~~

*Act* means the *Local Government Act 1995*;

*authorised officer* means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions under this Local Law;

*carriageway* has the same meaning as it has in the *Road Traffic Code 2000*;

*contamination* in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value.

*disability parking permit* has the meaning given to it by the *Local Government (Parking for People with Disabilities) Regulations 2014*;

*drive* has the same meaning as in the *Road Traffic Act 1974*;

*emergency vehicle* has the same meaning as in the *Road Traffic Code 2000*;

*local government* means the Mindarie Regional Council;

*litter* has the same meaning as given in the *Litter Act 1979*;

**parking area** means an area designated for the parking of vehicles;

**permission** has the meaning given in clause 6;

**protection** in relation to the environment, includes conservation, preservation, enhancement and management thereof: *has the same meaning as given in the Environmental Protection Act 1984;*

**road** has the same meaning as given in the *Road Traffic Act 1974*;

**sign** includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

**site** has the meaning given in clause 5;

**traffic sign** has the meaning given to it by the *Road Traffic Code 2000*;

**unattended** in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle:

- (a) restricting or regulating the use of roads, tracks or paths on the site; or
- (b) prohibiting, restricting or regulating the use, standing or parking of vehicles on the site;

**vehicle** has the same meaning as given in the *Road Traffic Act 1974*.

## 5. Site

The site is all of the land being Parcel 39285 = Part Lot 9026 on Deposited Plan 415564 as shown on certificate of title 2971/931 known as 1700 Marmion Avenue, Tamala Park, Western Australia.

## 6. Permissions

- (1) Where a provision of this local law states that an act or activity must not be done or carried on without permission, the reference to permission is to the permission of the local government.
- (2) For the purposes of any such provision, the local government may refuse permission or in the exercise of its power, it may grant permission —
  - (a) generally or for any specific instance; or
  - (b) on and subject to such terms and conditions as it considers appropriate including terms and conditions as to —
    - (i) the part of the site to which the permission applies;
    - (ii) the class or description of persons to whom the permission extends; or
    - (iii) the payment of any fee or charge whether before the act is done or the activity is commenced or otherwise.
- (3) The local government may amend or revoke a permission that has been granted.
- (4) A permission must be in writing and must be obtained before the act is done or the activity is commenced.
- (5) Where a permission has been given to a person subject to any condition, the permission is to be taken to have lapsed during any period when the condition



was not observed or performed according to its tenor by that person.

## **Part 2 — Access to the site**

### **7. Local government may restrict access**

- (1) The local government may —
  - (a) close the site or part of the site; or
  - (b) close a road, track or path on the site, or
  - (c) otherwise restrict access
 to pedestrians or vehicles or both for such period as the local government considers fit.
- (2) Where the local government closes any part of the site including a road, track or path on the site, it shall erect signs to give effect to the closure.
- (3) The inscription on a sign erected or established under this clause operates according to its tenor.
- (4) A person must not, without written permission —
  - (a) enter the site or any part of the site that is for the time being closed under this clause; or
  - (b) drive a vehicle on a road, track, bushland or path that is for the time being closed under this clause.

### **8. Unauthorised entry**

A person must not, without written permission, enter or attempt to enter the site except through an entrance provided by the local government for that purpose.

### **9. Defence**

It is a defence for the defendant to prove that the act complained of was necessary to prevent or mitigate injury to a person or damage to property.

## **Part 3 — Regulation of vehicles**

### **10. Traffic signs and directions**

- (1) The local government may erect or establish traffic signs on the site.
- (2) The inscription on a traffic sign operates according to its tenor.
- (3) A person must comply with —
  - (a) the inscription on a traffic sign erected or established under subclause (1); or
  - (b) a signal or direction by an authorised officer as to the use, parking or movement of a vehicle that is addressed to the person and that is reasonably required for the regulation of traffic on the site.

### **11. Parking**

- (1) A person must not, without permission, park a vehicle, or cause or permit it to be parked, on the site —
  - (a) in a place, other than a parking area, that is off a carriageway;

- (b) on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign;
- (c) during a period when the person is not on the site, whether or not the vehicle is parked in a parking area;
- (d) in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay; or
- (e) in an area designated for the parking of vehicles of people with a disability, unless —
  - (i) a person with a disability is the driver of, or a passenger in the vehicle; and
  - (ii) ~~an ACROD sticker~~disability parking permit is displayed in a prominent position on the vehicle.
- (2) Any person, who commits a parking offence under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued.

## 12. Emergency vehicles

In an emergency situation a driver of an emergency vehicle may park or stop that emergency vehicle at any place on the site at any time when it is expedient and safe to do so.

## Part 4 — Protection of the environment

### 13. Protection of flora and fungi

- (1) In this clause —
  - flora** means any form of plant life including any part, seeds or spores;
  - fungi** means yeast, mould, smuts, mushrooms and toadstools; and
  - take** includes gather, pluck, cut, pull up and dig up.
- (2) A person must not, without written authorisation under another written law, intentionally damage, destroy or take any flora, or fungi living or dead on the site.
- (3) ~~A~~ person must not, without written authorisation, intentionally remove any stake-supporting label on or near;
  - (a) protective fencing; or
  - (b) any flora or fungi living or dead on the site.

### 14. Protection of fauna

- (1) In this clause —
  - fauna** means any living thing that is not a human being or a plant and the eggs and immature stages of any such living thing; and
  - take** includes remove, catch, trap and snare.
- (2) A person must not, without written authorisation under any other written law, injure, take, or interfere with any fauna on the site.
- (3) A person must not, without written authorisation under any other written law,

intentionally carry or have in the person's possession on the site, a trap, cage, net, or other device for taking or transporting fauna.

- (4) A person must not, without written authorisation under any other written law, intentionally lay or place any trap, net or other device for the taking of fauna on the site.
- (5) A person must not, or without written authorisation under another written law, intentionally interfere with or destroy any nest or habitat of fauna on the site.

#### 15. **Protection of rocks, soil, culture heritage etc.**

A person must not, without written authorisation under any other written law —

- (a) intentionally remove, damage, interfere with or mark any rock or other geological material on the site;
- (b) intentionally remove or displace soil on the site;
- (c) intentionally otherwise damage or interfere with the natural surface of the site; or
- (d) intentionally disturb and/or remove cultural significant artefacts from the site.

#### 16. **Litter/Environmental spill**

- (1) A person must not,—
  - (a) deposit litter, or cause litter to be deposited, on the site unless the litter is deposited in a litter receptacle;
  - (b) deposit litter, or cause litter to be deposited, in a litter receptacle on the site if the litter was not generated on the site; or
  - (c) discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air

~~(2) Any person found littering under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$200, for each day or part of a day during which the offence has continued.~~

### Part 5 — Control of certain activities

#### 17. **Unauthorised structures**

- (1) In this clause —  
**structure** means a building, tent, shelter, fence or other thing that is fixed permanently or temporarily, to land or to anything that is fixed to land.
- (2) A person must not, without permission, erect or place a structure on the site.

#### 18. **Unauthorised trading, etc.**

A person must not, without written authorisation —

- (a) sell or hire, any goods or services;
- (b) provide any service or conduct any business or activity for fee or reward;
- (c) sell, distribute, or offer or expose for sale or distribute any printed or written material on the site.

## 19. Commercial photography

A person must not, without permission, take still or motion pictures on the site by photographic or electronic means for —

- (a) the purpose of public display, broadcast or transmission; or
- (b) use in the promotion or sale of goods or services.

## 20. Unauthorised advertising

A person must not, without written permission —

- (a) place any notice, advertisement or document on any structure, object or natural surface on the site;
- (b) paint, mark or deface any structure, object or natural surface on the site.
- (c) cause any of the acts prohibited by paragraph (a) or (b) to be done by another person.

## 21. Lighting fires etc.

(1) A person must not, without written permission —

- (a) light a fire; or
- (b) use a gas barbecue or other cooker, on the site.

~~(2) Any person found lighting fires under this local law is liable, upon conviction, to a penalty not exceeding \$1000~~

## 22. Explosive devices

A person must not, without written permission, possess, throw, set off or ignite a firework, sparkler or other explosive device on the site.

## 23. Camping~~food~~ gathering

(1) In this clause —

**camp** means to stay or lodge, whether in a tent, temporary shelter, vehicle or otherwise.

~~**Food gathering** means the procuring of food by hunting or fishing or gathering of seeds, berries, or roots for the sole purpose of eating by indigenous people of the Swan Coastal Plain~~

(2) A person must not camp on the site without written authorisation.

~~(3) A person must not gather food on the site without written authorisation~~

## 24. Unauthorised removal of property

(1) A person must not remove or disturb any property on the site without written authorisation.

(2) Subclause (1) does not apply to the owner of the property or to any person legally entitled to possession of the property.

## Part 6—Enforcement

### 25. Offences

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$1000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100, for each day or part of a day during which the offence has continued.

### 26. Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

## Part 7—Waste Disposal Services

### 257. Hours of operation

The local government may from time to time determine the hours of operation of a waste facility.

### 27A6. Depositing Waste

- (1) A person must not deposit waste at a waste facility other than—
  - (a) at a location determined by a sign and in accordance with the sign; and
  - (b) in accordance with the direction of an authorised person.
- (2) The local government may determine the classification of any waste that may be deposited at a waste facility.

### 27B7. Fees and charges

- (1) A person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
- (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
- (3) Subclause (1) does not apply—
  - (a) to a person who disposes of waste in accordance with the terms of—
    - (i) a credit arrangement with the local government; or
    - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
  - (b) to the deposit of waste owned by the local government, or in the

possession of an employee on behalf of the local government.

(4) All fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with 6.16 to 6.19 of the Act.

### **Schedule 1**

#### **Prescribed Offences**

[clause 26]

#### **Modified Penalties**

<b>Item Number.</b>	<b>Clause No.</b>	<b>Nature of offence</b>	<b>Modified Penalties \$</b>
<b>1</b>	7(4)(a) and (b)	Enter the site or any part of the site that is closed; or drive a vehicle on a road, track or path that is closed.	<del>400</del> <u>100</u>
<b>2</b>	8	Enter the site other than through an entrance without permission.	<del>400</del> <u>100</u>
<b>3</b>	11(1) (a)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place, other than a parking area, that is off a carriageway.	<del>200</del> <u>100</u>
<b>4</b>	11(1)(b)	Park a vehicle, or cause or permit it to be parked, on the site without permission on part of a carriageway, if the parking of vehicles on that part of the carriageway is prohibited by a traffic sign.	<del>200</del> <u>100</u>
<b>5</b>	11(1)(c)	Park a vehicle, or cause or permit it to be parked, on the site without permission during a period when the person is not on the site, whether or not the vehicle is parked in a parking area.	<del>200</del> <u>100</u>
<b>6</b>	11(1)(d)	Park a vehicle, or cause or permit it to be parked, on the site without permission in a place that is marked with parking bays, unless it is entirely within the confines of a parking bay.	<del>200</del> <u>100</u>
<b>7</b>	11(1) (e)	Park a vehicle or vehicles in an area designated for a person or	<del>200</del> <u>100</u>

		persons with a disability, unless the person or persons with a disability is the driver of, or a passenger in, the vehicle and a <del>disability parking permit</del> <del>AGROD-sticker</del> is displayed in a prominent position on the vehicle.	
8	13(2)	Damage, destroy or take away flora without permission.	<del>400</del> <u>100</u>
9	14(2)	Injure, take, or interfere with any fauna without permission.	<del>400</del> <u>100</u>
10	15(d)	Damage, destroy or take cultural sensitive items	<del>400</del> <u>100</u>
11	16(1)	Deposit litter other than in a litter receptacle.	<del>200</del> <u>100</u>
12	16(d)	Environmental Contamination, discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air.	<del>200</del> <u>100</u> + clean-up costs
13	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	<del>200</del> <u>100</u>
14	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	<del>200</del> <u>100</u>
15	21	Light a fire (minor impact, managed on site) or use a gas barbecue or other cooker without permission.	<del>400</del> <u>100</u>
16	21	Light a fire – (significant impact e.g. call of DFES)	<del>400</del> <u>100</u>
17	24(1)	Disturb or remove property from the site without permission.	<del>400</del> <u>100</u>
18	<del>27A</del> (1) (2)	Fail to comply with a sign or direction	<del>400</del> <u>100</u>
19	<del>27B</del> (1) (2)	Disposing waste without payment of fee or charge	<del>400</del> <u>100</u>
20	<del>27A</del> (1) (2)	Depositing waste contrary to sign or direction	<del>400</del> <u>100</u>

Dated 17 December 2020

THE COMMON SEAL of MINDARIE )  
 REGIONAL COUNCIL was )  
 affixed pursuant to a resolution of the )  
 Council in the presence of—

\_\_\_\_\_  
 David Boothman  
 Chairperson

\_\_\_\_\_  
 Günther Hoppe  
 Chief Executive Officer

**Proposed Mindarie Regional Council Waste Facility Site Local Law 2020  
Summary Purpose and Effect**

Item  
9.4

APPENDIX 8

Item  
9.4



## SUMMARY PURPOSE AND EFFECT

<b>MINDARIE REGIONAL COUNCIL WASTE FACILITY SITE LOCAL LAW 2020</b>	
<b>Purpose:</b>	To provide the Mindarie Regional Council (MRC) with a contemporary Local Law that governs activities at the Tamala Park waste facility.
<b>Effect:</b>	To assist the MRC administration implement changes that reflect the MRC's current operating environment and provide relevant fees and charges for enforceable offences on the Tamala Park waste facility.
<b>Clause 4. Definitions</b>	
<b>Purpose:</b>	To define the meaning of Contamination in relation to waste management.
<b>Effect:</b>	To provide a definition to the meaning of Contamination, in relation to land, water or a site, means having a substance present in or on that land, water or site at above background concentrations that presents, or has the potential to present, a risk of harm to human health, the environment or any environmental value.
<b>Purpose:</b>	To define the meaning of disability parking permit.
<b>Effect:</b>	To provide a definition to the meaning <b>disability parking permit</b> given to it by the <i>Local Government (Parking for People with Disabilities) Regulations 2014</i> .
<b>Clause 5. Site</b>	
<b>Purpose:</b>	To update the MRC's Tamala Park site land parcel description, as shown on the certificate of title by the Department of Planning, Lands and Heritage.
<b>Effect:</b>	The Local Law site description aligns with the Department of Planning, Lands and Heritage.
<b>Clause 15. Protection of rocks, soil, culture heritage etc.</b>	
<b>Purpose:</b>	To protect artefacts on the Tamala Park site and provide for an appropriate penalty in the event of an offence.
<b>Effect:</b>	A person must not, without written authorisation intentionally disturb and or remove culturally significant artefacts from the site.
<b>Clause 16. Litter / Environmental spill</b>	
<b>Purpose:</b>	To protect the environment from environmental spills on the Tamala Park site and provide for an appropriate penalty in the event of an offence.
<b>Effect:</b>	A person must not discharge liquids / rubbish to the environment that cause, or are known to cause contamination to the soil, water and / or air.
<b>Clause 21. Lighting fires etc.</b>	
<b>Purpose:</b>	To protect the bushland at the Tamala Park site and provide for an appropriate penalty in the event of an offence.

<b>Effect:</b>	Any person found lighting fires under this Local Law is liable, upon conviction, to a penalty – not exceeding \$1000.
<b>Clause 27. Hours of operation</b>	
<b>Purpose:</b>	To reflect the current operating environment and provide flexibility in the event a change to operating hours is required.
<b>Effect:</b>	The MRC may from time to time determine the hours of operation of the Tamala Park waste facility.
<b>Clause 27A. Depositing Waste</b>	
<b>Purpose:</b>	To enable the MRC to classify waste and the location of deposits, and provide for an appropriate penalty in the event of an offence.
<b>Effect:</b>	A person must not deposit waste at a waste facility other than; <ul style="list-style-type: none"> <li>a) at a location determined by a sign and in accordance with the sign; and</li> <li>b) in accordance with the direction of an authorised person.</li> </ul>
<b>Clause 27B. Fees and charges</b>	
<b>Purpose:</b>	To enable the MRC's authorised officers to enforce a fee or charge when a person enters the waste facility to deposit waste and to provide for an appropriate penalty in the event of an offence.
<b>Effect:</b>	<p>A person must, on or before entering a waste facility or on demand by the MRC or an authorised person, pay the fee or charge as assessed by an authorised person.</p> <p>An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.</p>
<b>Schedule 1. Prescribed Offences</b>	
<b>Purpose:</b>	To reflect the current changes to the MRC Waste Facility Site Local Law 2020 and update the modified penalties.
<b>Effect:</b>	To amend modified penalties, the LG Act 1995 provides that a modified penalty cannot exceed 10% of the maximum unmodified penalty.

**Proposed Mindarie Regional Council Meeting Procedures Local Law 2020  
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Item  
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APPENDIX 9

Item  
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## WESTERN AUSTRALIA

## Local Government Act 1995

MINDARIE REGIONAL COUNCIL  
Meeting Procedures Local Law 2020ARRANGEMENT**Table of Contents****Part 1 - Preliminary**

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**SCHEDULE 1****PETITION TO THE MINDARIE REGIONAL COUNCIL**

## LOCAL GOVERNMENT ACT 1995

### MINDARIE REGIONAL COUNCIL Meeting Procedures Local Law 2020

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the Mindarie Regional Council resolved on 17 December 2020 to make the following local law.

## Part 1 - Preliminary

### 1.1 **Citation**

This local law may be cited as the Mindarie Regional Council Meeting Procedures Local Law 2020.

### 1.2 **Commencement**

By virtue of section 3.14 of the Act, this local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

### 1.3 **Application and intent**

- (1) This local law provides rules and guidelines which apply to the conduct of meetings of the Council and its committees.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and this local law.
- (3) This local law is intended to result in-
  - (a) better decision-making by the Council and committees;
  - (b) the orderly conduct of meetings dealing with Council business;
  - (c) better understanding of the process of conducting meetings; and
  - (d) the more efficient and effective use of time at meetings.

### 1.4 **Interpretation**

- (1) In this local law unless the context otherwise requires-

***absolute majority*** has the meaning given to it in the Act;

***Act*** means the *Local Government Act 1995*;

***CEO*** means the Chief Executive Officer of the Mindarie Regional Council;

***Chair*** means the Chair of the Mindarie Regional Council or other Presiding Member at a Council meeting under section 5.6 of the Act;

***committee*** means a committee of the Council established under section 5.8 of the Act;

***committee meeting*** means a meeting of a committee;

***Council*** means the Council of the Mindarie Regional Council;



**Deputy Chair** means the Deputy Chair of the Mindarie Regional Council or other Presiding Member at a Council meeting under section 5.6 of the Act

**Local Government** means the Mindarie Regional Council;

**meeting** means a meeting of the Council or a committee, as the context requires;

**Member** has the meaning given to it in the Act;

**Member Council** refers to the constituent member local governments of the Mindarie Regional Council;

**Minister** shall mean the Minister for Local Government;

**primary motion** means an original motion or an original motion as amended, but does not include an amendment or a procedural motion;

**Presiding Member** means:

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

**Regulations** means the *Local Government (Administration) Regulations 1996*;

**simple majority** means more than 50% of the members present and voting.

- (2) Unless otherwise defined in this local law, the terms and expressions used in this local law are to have the meaning given to them in the Act and Regulations.

## 1.5 Repeal

This local law repeals the *Mindarie Regional Council Standing Orders Local Law 2010* as published in the Government Gazette on 28 July 2011.

## Part 2 – Establishment and membership of committees

### 2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include-
  - (a) the terms of reference of the committee;
  - (b) the number of Council members, officers and other persons to be appointed to the committee;
  - (c) the names or titles of the Council members and officers to be appointed to the committee;
  - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
  - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) This local aw is to apply to the conduct of Committee meetings.

### 2.2 Types of committees

The types of committees are dealt with in the Act.

### 2.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.

### 2.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

### 2.5 Appointment of committee members

The appointment of committee members is dealt with in the Act.

### 2.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

### 2.7 Resignation of committee members

The resignation of committee members is dealt with in the Regulations.

### 2.8 Register of delegations to committees

The register of delegations to committees is dealt with in the Act.

### 2.9 Committees to report

A committee-

- (a) is answerable to the Council; and
- (b) is to report on its activities when, and to the extent, required by the Council.

## **Part 3 - Calling and convening meetings**

### **3.1 Ordinary and special Council meetings**

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

### **3.2 Calling Council meetings**

The calling of Council meetings is dealt with in the Act.

### **3.3 Convening Council meetings**

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to clause 3.3(3), the CEO is to give at least 72 hours' notice, for the purposes of section 5.5, in convening a special meeting of the Council.
- (3) Where, in the opinion of the Chair or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

### **3.4 Calling committee meetings**

The CEO is to call a meeting of any committee when requested by the Chair, the Presiding Member of a committee or any two members of that committee.

### **3.5 Public notice of meetings**

Public notice of meetings is dealt with in the Regulations.

## Part 4 – Presiding Member and quorum

### *Division 1: Who presides*

- 4.1 Who presides**  
Who presides at a Council meeting is dealt with in the Act.
- 4.2 When the Deputy Chair can act**  
When the Deputy Chair can act is dealt with in the Act.
- 4.3 Who acts if no Chair**  
Who acts if there is no Chair is dealt with in the Act.
- 4.4 Election of Presiding Members of committees**  
The election of Presiding Members of committees and their deputies is dealt with in the Act.
- 4.5 Election of deputy Presiding Members of committees**  
The election of deputy Presiding Members of committees is dealt with in the Act.
- 4.6 Functions of deputy Presiding Members**  
The functions of deputy Presiding Members are dealt with in the Act.
- 4.7 Who acts if no Presiding Member**  
Who acts if there is no Presiding Member is dealt with in the Act.

### *Division 2 – Quorum*

- 4.8 Quorum for meetings**  
The quorum for meetings is dealt with in the Act.
- 4.9 Reduction of quorum for Council meetings**  
The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.
- 4.10 Reduction of quorum for committee meetings**  
The reduction of a quorum for committee meetings is dealt with in the Act.
- 4.11 Procedure where no quorum to begin a meeting**  
The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.
- 4.12 Procedure where quorum not present during a meeting**  
If at any time during a meeting a quorum is not present, the Presiding Member -
  - (a) is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
  - (b) if a quorum is not present at the expiry of that period, the Presiding Member is to adjourn the meeting to some future time or date.
- 4.13 Names to be recorded**  
At any meeting - (a) at which there is not a quorum present; or  
(b) which is adjourned for want of a quorum,  
the names of the Members then present are to be recorded in the minutes.

## Part 5 - Business of a meeting

### 5.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council or committee other than that specified in the agenda, except for matters which the Act or clause 5.4 allow.
- (2) No business is to be transacted at a special meeting of the Council or committee other than that given in the notice as the purpose of the meeting.
- (3) Subject to clause 5.1(4), no business is to be transacted at an adjourned meeting of the Council other than that-
  - (a) specified in the notice of the meeting which had been adjourned; and
  - (b) which remains unresolved.
- (4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering reports at that ordinary meeting.
- (5) The CEO may withdraw an item from the agenda of a meeting.

### 5.2 Order of business

- (1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows-
  1. Declaration of Opening/Announcement of Visitors
  2. Noting of Attendance/Apologies/Leaves of Absence
  3. Declaration of interests
  4. Public Question Time
  5. Announcements by the Presiding Person
  6. Applications for Leaves of Absence
  7. Petitions/Deputations/Presentations
  8. Confirmation of minutes
  9. Chief Executive Officer Reports
  10. Members Information Bulletin
  11. Motions of which previous notice has been given
  12. Urgent Business
  13. Questions from Members of which due notice has been given
  14. Matters for which the meeting may be closed to the Public
  15. Next meeting
  16. Closure
- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.
- (4) At any meeting of the Council the presiding person may announce or raise any matter of interest or matter affecting the Mindarie Regional Council.

- (5) The requirement for members to obtain leave of absence from meetings of the Council is dealt with in the Act.
- (6) A member who requests that leave of absence be granted for a member need not put the request in writing but must state the period of leave and the reasons for the request.
- (7) At the conclusion of all business or when otherwise determined by the meeting, the presiding person is to declare the meeting closed and state the closing time.

### **5.3 Reports of the CEO**

- (1) The functions of the CEO, including to advise the Council and implement decisions, are dealt with in the Act.
- (2) The CEO may prepare or cause to be prepared any report that in the CEO's opinion requires consideration by the Council, including any report of a late or urgent nature.

### **5.4 Motions of which previous notice has been given**

- (1) Unless the Act, Regulations or this local law otherwise provide, a Member may raise at a meeting such business as they consider appropriate, in the form of a motion, of which notice has been given in writing to the CEO, in compliance with this clause 5.4, and which has been included on the agenda.
- (2) A notice of motion under clause 5.4(1) is to be in the form prescribed by the Local Government, to be signed by the Member and given at least 15 clear working days before the meeting at which the motion is to be moved.
- (3) At the time of giving the notice of motion, the Member must also provide a reason for the motion.
- (4) A notice of motion is to relate to a purpose for which the Mindarie Regional Council is established.
- (5) The CEO -
  - (a) may, with the concurrence of the Chair, exclude from the agenda any notice of motion deemed to be, or likely to involve, a breach of any of this local law or any other written law;
  - (b) will inform all Members on each occasion that a notice has been excluded and the reasons for that exclusion as soon as practicable;
  - (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
  - (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, strategy, budget and law.
- (6) A motion of which notice has been given is to lapse unless-
  - (a) the Member who gave notice of it, or another Member authorised by the originating Member in writing, moves the motion when called on; or
  - (b) the Council or committee deciding on a motion agrees to defer consideration of the motion to a later stage or date.

- (7) If a notice of motion is given and lapses under clause 5.4(6), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.
- (8) Where a notice of motion is moved and seconded at a meeting of Council or Committee, it is to be treated as a primary motion.

### **5.5 New business of an urgent nature**

- (1) In cases of extreme urgency or other special circumstances, matters may, through a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In clause 5.5(1), '*cases of extreme urgency or other special circumstances*' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.
- (3) Before debate begins on a matter under this clause that is not the subject of a written report from the CEO to the meeting –
  - (a) The Presiding Member is to ask the CEO to give; and
  - (b) the CEO, or the CEO's nominee, is to give, a verbal report to the meeting on the matter.
- (4) Where urgent business is considered at a meeting under this clause, the minutes of the meeting are to include-
  - (a) a summary of the verbal report and any recommendations of the CEO or the CEO's nominee; and
  - (b) the reasons for any decision made at the meeting that is significantly different from any recommendations of the CEO or the CEO's nominee.

### **5.6 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 clear working days before the meeting at which it is raised.
- (2) If the question referred to in clause 5.6(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.

### **5.7 Adoption by exception resolution**

- (1) In this clause '*adoption by exception resolution*' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to clause 5.7(3), the Local Government may pass an adoption by exception resolution.

- (3) An adoption by exception resolution may not be used for a matter
  - (a) in which an interest has been disclosed;
  - (b) that has been the subject of a petition or deputation;
  - (c) that is a matter on which a Member wishes to make a statement; or
  - (d) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

## Part 6 - Public participation

### 6.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

### 6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under clause 6.2(2) is carried-
  - (a) the Presiding Member is to:
    - (i) direct all members of the public, other than a person specified in the resolution, to leave the meeting; and
    - (ii) in consultation with the CEO, request specified employees to leave the meeting; and
    - (iii) in consultation with the CEO, request Member Council employees to leave the meeting
  - (b) the meeting is to remain closed to the public until the Council or the committee, resolves to reopen the meeting.
- (4) A person who fails to comply with a direction under clause 6.2(3)(a) may, by order of the Presiding Member, be removed from the meeting.
- (5) While the resolution under clause 6.2(2) remains in force, the operation of clause 7.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) The Presiding Member is to ensure that any resolution of the Council, and the Members' voting thereon, is to be included in the minutes.
- (8) Once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed and the Members' voting thereon, is to be read out.
- (9) In the event that no member of the public returns to the meeting after it is reopened, any resolution, including the details of any voting, need not be read aloud but be recorded in the minutes of the meeting.



**6.3 Question time for the public**

Question time for the public is dealt with in the Act.

**6.4 Question time for the public at certain meetings**

Question time for the public at certain meetings is dealt with in the Regulations.

**6.5 Minimum question time for the public**

Minimum question time for the public is dealt with in the Regulations.

**6.6 Procedures for question time for the public**

Procedures for question time for the public are dealt with in the Regulations.

**6.7 Other procedures for question time for the public**

- (1) A member of the public who raises a question during question time, is to state their name and address.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that-
  - (a) a response is given to the member of the public in writing; and
  - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to-
  - (a) declare that he or she has an interest in the matter; and
  - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where-
  - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
  - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
  - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have three minutes to ask a question.
- (9) The Council, by resolution, may agree to extend public question time.

- (10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.
- (11) The Presiding Member is to endeavour to have every question responded to at the meeting at which it is asked but where this is not possible, the question is to be taken on notice and where practicable, a written response is to be provided to the person who asked the question and a copy the response is to be included in the agenda of the next ordinary meeting of the Council or committee as the case requires.
- (12) A Member who participates in the role of a councillor during a meeting must not participate as a member of the public without leave of absence granted by the Council;
- (13) A Member who wishes to participate, not in the role of councillor but as a member of the public and sit in the public gallery, during a meeting, may do so only after obtaining the requisite leave of absence from the Council.

#### **6.8 Distinguished visitors**

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor shall be recorded in the minutes.

#### **6.9 Deputations and Statements**

- (1) Any person or group wishing to be received as a deputation by the Council, or who wishes to make a statement, is to either-
  - (a) apply, before the meeting, to the CEO for approval; or
  - (b) with the approval of the Presiding Member, at the meeting, to address the Council.
- (2) The CEO may either-
  - (a) approve a request received under clause 6.9(1)(a) and invite the deputation, or person or group wishing to make a statement, to attend a meeting of the Council; or
  - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation or to allow the statement.
- (3) Unless the Council resolves otherwise, a deputation invited to attend a Council meeting, or an individual or a group wishing to make a statement-
  - (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
  - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
  - (c) additional members of the deputation or the group may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation or a statement to the Council is not to be decided by the Council until the deputation has completed its presentation, or the individual or group wishing to make a statement has done so.

#### **6.10 Petitions**

- (1) A petition received by a Member or the CEO is to be presented to the next ordinary Council meeting.
- (2) Any petition to the Council is-
  - (a) as far as practicable to be prepared in the form prescribed in the Schedule 1;
  - (b) to be addressed to the Council and forwarded to a Member or the CEO; and
  - (c) to state the name and address of the person to whom correspondence in respect of the petition may be served.
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless-
  - (a) the matter is the subject of a report included in the agenda; and
  - (b) the Council has considered the issues raised in the petition.

#### **6.11 Presentations**

- (1) If the CEO determines that it would be beneficial for a presentation to be made, with the agreement of the Presiding Member, the presentation may take place under this order of business or at the time of dealing with that particular item of business.
- (2) The time for the presentation and any questions from members will be determined by the Presiding Member according to the particular case or circumstance.

#### **6.12 Participation at committee meetings**

- (1) In this clause, **person** means the Presiding Member or a Member who is not a member of the relevant committee.
- (2) A person may attend, as an observer, any meeting of a committee and is to sit in an area set aside for observers separated from the committee members.
- (3) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under clause 6.12(4) may, by order of the Presiding Member, be removed from the committee room.

#### **6.13 Council may meet to hear public submissions**

- (1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.
- (2) The CEO and the Presiding member shall set the time and date of the meeting to provide the opportunity to be heard.

- (3) Where the Council resolves to meet to provide the opportunity to be heard under clause 6.13(1), the Presiding Member shall-
  - (a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;
  - (b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
  - (c) cause minutes to be kept of the meeting to provide the opportunity to be heard.
- (4) A meeting held under clause 6.13(1) shall be conducted only to hear submissions and the Council shall not make resolutions at a meeting to provide the opportunity to be heard.
- (5) At a meeting held under clause 6.13(1), each person making a submission shall be provided with the opportunity to fully state their case.
- (6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.
- (7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.
- (8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.
- (9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under clause 6.13(8).

#### **6.14 Public Inspection of agenda materials**

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at The Administration Building, 1700 Marmion Avenue, Tamala Park WA 6030 and on the Local Government's website.

#### **6.15 Confidentiality of information withheld**

- (1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be-
  - (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed";
  - (b) marked "*Confidential*" in the agenda; and
  - (c) kept confidential by officers and Members until the Council resolves otherwise.
- (2) A Member of the MRC in receipt of confidential information under clause 6.15(1) or information that is provided or disclosed during a meeting or part of a meeting that is closed to the public, is not to disclose any of that information to any person other than another Member of the MRC

or an employee of the MRC to the extent necessary for the purpose of carrying out their duties as a Member.

- (3) Clause 16.2(2) does not prohibit a Member from disclosing information -
  - (a) at a closed meeting;
  - (b) to the extent specified by the Council and subject to such other conditions as the Council decides;
  - (c) that is already in the public domain;
  - (d) to an officer of the Department of Local Government;
  - (e) to the Minister;
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

#### **6.16 Recording of proceedings**

- (1) A person who uses any electronic, visual or audio recording device or instrument to record the proceedings of a meeting without the permission of the Council commits an offence.  
Penalty - \$1000.
- (2) Clause 6.16(1) does not apply if the recording is taken by or at the direction of the CEO with the permission of the Council.
- (3) The Presiding Member is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

#### **6.17 Media attendance**

Media representatives are permitted to attend meetings of the Council and be seated in that part of the Council chamber or meeting room that may be set aside for their use, but must leave the meeting during any period when the meeting is closed to the public.

#### **6.18 Prevention of disturbance**

- (1) A reference in this clause to a person is to a person other than a Member.
- (2) A person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the Presiding Member.
- (3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that their mobile telephone or audible pager is not switched on or used during any meeting of the Council.
- (5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.
- (6) Where a person is considered by the Presiding Member to be in breach of clause 6.18 (2) or 6.18 (3) the Presiding Member may direct the offending person to leave the meeting room and the person must immediately comply with that direction.

## Part 7 – Conduct of Members

### 7.1 Members to be in their proper places

- (1) At the first meeting following each ordinary election, the CEO is to allocate a seat in the Council chamber to each Member.
- (2) Each Member is to occupy their allocated position at each Council meeting until the Council decides to reallocate positions.
- (3) The CEO is to sit beside the Presiding Member.

### 7.2 Respect to the Presiding Member

After the business of a Council has been commenced, a Member is not to enter or leave the meeting without first paying due respect to the Presiding Member.

### 7.3 Titles to be used

A speaker, when speaking or referring to the Presiding Member or to a councillor or employee, must use the title of that person's office.

### 7.4 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

### 7.5 Members to indicate their intention to speak

A Member of the Council who wishes to speak –

- (a) is to indicate their intention to speak by raising their hand or by another method determined by the Presiding Member; and
- (b) when invited by the Presiding Member to speak, must address the meeting through the Presiding Member.

### 7.6 Priority of speaking

- (1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.
- (2) A decision of the Presiding Member under clause 7.6(1) is not open to discussion or dissent.
- (3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

### 7.7 Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with this local law.

**7.8 Relevance**

- (1) A Member is to restrict their remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The Presiding Member, at any time, may-
  - (a) call the attention of the meeting to-
    - (i) any irrelevant, repetitious, offensive or insulting language by a Member; or
    - (ii) any breach of order by a Member; and
  - (b) direct that Member, if speaking, to discontinue their speech.
- (3) A Member is to comply with the direction of the Presiding Member under clause 7.8(2) by immediately ceasing to speak.

**7.9 Speaking twice**

- (1) A Member is not to address the Council more than once on any motion or amendment except-
  - (a) as the mover of a substantive motion, to exercise a right of reply;
  - (b) to raise a point of order; or
  - (c) to make a personal explanation.
- (2) A Member who asks a question before speaking has not addressed the meeting for the purposes of this clause.

**7.10 Duration of speeches**

A Member may speak on a motion or an amendment or reply, for a period of only 5 minutes unless an extension of time is granted by the Council without debate, a Member's total speaking time on a motion must not exceed 10 minutes.

**7.11 No speaking after conclusion of debate**

A Member is not to speak on any motion or amendment-

- (a) after the mover has replied; or
- (b) after the motion has been put.

**7.12 No interruption**

A Member is not to interrupt another Member who is speaking unless-

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 7.13; or
- (d) to move a procedural motion that the Member be no longer heard under clause 10(1)(f).

**7.13 Personal explanations**

- (1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member their intention to make a personal explanation.
- (2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.
- (3) A Member making a personal explanation is to confine their observations to a succinct statement relating to a specific part of the speech at which they may have been misunderstood.

**7.14 No reopening of discussion**

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed (see Part 15).

**7.15 Adverse reflection**

- (1) A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed (see Part 15).
- (2) A Member is not-
  - (a) to reflect adversely on the character or actions of another Member or officer; or
  - (b) to impute any motive to a Member or officer, unless the meeting resolves, without debate, that the motion then before the meeting cannot otherwise be adequately considered.
- (3) A Member is not to use offensive expressions in reference to any Member, officer or other person.
- (4) If a Member specifically requests, immediately after their use, that any particular words used by a Member be recorded in the minutes-
  - (a) the Presiding Member is to cause the words used to be taken down and read to the meeting for verification; and
  - (b) the Council may, by resolution, decide to record those words in the minutes.

**7.16 Withdrawal of offensive language**

- (1) A Member who, in the opinion of the Presiding Member, uses an expression which-
  - (a) in the absence of a resolution under clause 7.15(2)-
    - (i) reflects adversely on the character or actions of another Member or officer; or
    - (ii) imputes any motive to a Member or officer; or
  - (b) uses an expression that is offensive or objectionable must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.
- (2) If a Member fails to comply with a direction of the Presiding Member under clause 7.16(1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.



## Part 8 - Preserving order

### 8.1 Presiding Member to preserve order

- (1) The Presiding Member is to preserve order, and, whenever they consider it necessary, may call any Member to order.
- (2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that they wish to speak, is immediately to sit down and every Member present is to preserve strict silence so that the Presiding Member may be heard without interruption.
- (3) Clause 8.1(2) is not to be used by the Presiding Member to exercise the right provided in clause 7.7, but only to preserve order.

### 8.2 Point of order

- (1) A Member may object, by way of a point of order, only to a breach of-
  - (a) any of this local law; or
  - (b) any other written law.
- (2) A Member expressing a difference of opinion with, or contradicting, a speaker is not to be recognised as raising a point of order.
- (3) Despite anything in this local law to the contrary, a point of order-
  - (a) takes precedence over any discussion; and
  - (b) until determined, suspends the consideration or discussion of any other matter.

### 8.3 Procedures on a point of order

- (1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.
- (2) A Member interrupted on a point of order is to resume their seat until-
  - (a) the Member raising the point of order has been heard; and
  - (b) the Presiding Member has ruled on the point of order, and, if permitted, the Member who has been interrupted may then proceed.
- (3) A Member raising a point of order is to specify one of the grounds of the breach of order before speaking further on the matter.

### 8.4 Calling attention to breach

A Member may, at any time, draw the attention of the Presiding Member to any breach of this local law.

### 8.5 Ruling by the Presiding Member

- (1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the Presiding Member on a point of order is to be final unless the majority of Members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.

- (3) Subject to a motion of dissent being carried under clause 8.5(2), if the Presiding Member rules that-
  - (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
  - (b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

#### **8.6 Continued breach of order**

If a Member-

- (a) persists in any conduct that the Presiding Member had ruled is out of order; or
  - (b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 8.5(3),
- the Presiding Member may direct the Member to refrain from taking any further part in the matter under discussion, other than by voting, and the Member is to comply with that direction.

#### **8.7 Right of Presiding Member to adjourn**

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.
- (4) If there is an adjournment under this clause, the names of the Members who have spoken on the motion or amendment before the adjournment are to be recorded in the minutes and those Members are not to speak to the motion when the meeting is resumed.

## Part 9 - Motions and amendments

### 9.1 Motions to be stated and in writing

- (1) The procedure for moving any motion or amendment is that-
  - (a) A Member who wishes to move a motion that is different to the officer recommendation, or an amendment to the officer recommendation, is to give notice of that motion by midday on the day that is 2 business days before the meeting.
  - (b) Any motion or amendment for which notice has not been given in accordance with clause 9.1(a) is required to have the consent of the Presiding Member.
  - (c) The mover must state the motion without speaking to it and is to put the motion in writing if required by the Presiding Member.
- (2) Where a Member moves a motion which differs from the relevant recommendation, or an amendment to a motion, the Presiding Member shall ask if the CEO wishes to give a verbal report to the meeting on the matter.

### 9.2 Motions to be seconded

- (1) A primary motion or an amendment to a primary motion is not open to debate or put to the vote until it has been seconded.
- (2) A nomination to any position is not required to be seconded.
- (3) A Member seconding a motion is to be taken to have reserved the right to speak on the motion later in the debate.
- (4) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

### 9.3 Unopposed business

- (1) Immediately after a primary motion or amendment has been moved and seconded, the Presiding Member may ask the meeting if any Member opposes it.
- (2) If no Member opposes the motion, the Presiding Member may put the motion to the vote without debate.
- (3) A motion declared carried under this clause is to be recorded in the minutes as a unanimous decision of the Council.
- (4) If a Member opposes a motion, the motion is to be dealt with under this Part 9.
- (5) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting (see Part 15).

### 9.4 Only one primary motion at a time

The Council or committee -

- (a) is not to accept a primary motion while another primary motion is being debated; and
- (b) is not to consider more than one primary motion at any time.

- (c) the Presiding Member may require that a complex primary motion, or a complex amendment to a primary motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.

#### **9.5 Order of call in debate**

The Presiding Member is to call speakers to a primary motion in the following order-

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) other speakers against and for the motion, alternating where possible; and
- (f) mover takes right of reply which closes debate.

#### **9.6 Limit of debate**

The Presiding Member may offer the right of reply and put a primary motion to the vote if they believe that sufficient discussion has taken place and where no other Member has given an indication to speak to the motion.

#### **9.7 Member may require motion to be read**

A Member may require the motion or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member who is speaking.

#### **9.8 Consent of seconder required for alteration**

The mover of a primary motion may not alter the wording of the motion without the consent of the seconder.

#### **9.9 Order of amendments**

Any number of amendments may be proposed to a primary motion, but when an amendment is moved to a primary motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

#### **9.10 Form of an amendment**

An amendment must add, delete, or substitute words to the primary motion.

#### **9.11 Amendment must not negate original motion**

An amendment to a primary motion cannot negate the original motion or the intent of the original motion.

#### **9.12 Relevance of amendments**

Each amendment is to be relevant to the motion in respect of which it is moved.

#### **9.13 Mover of motion may speak on amendment**

Any Member may speak during debate on an amendment.

#### **9.14 Effect of an amendment**

If an amendment to a primary motion is carried, the motion as amended then becomes the primary motion, on which any Member may speak and any further amendment may be moved.

**9.15 Withdrawal of motion or amendment**

- (1) Subject to clause 9.15(2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.
- (2) Where an amendment has been proposed to a primary motion, the primary motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

**9.16 Right of reply**

- (1) The mover of a primary motion has the right of reply.
- (2) The mover of any amendment to a primary motion has a right of reply.
- (3) The right of the reply may only be exercised-
  - (a) where no amendment is moved to the primary motion – at the conclusion of the discussion on the motion; or
  - (b) where one or more amendments have been moved to the primary motion – at the conclusion of the discussion on the primary motion and any amendments.
- (4) After the mover of the primary motion has commenced the reply-
  - (a) no other Member is to speak on the motion;
  - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the primary motion, or the primary motion as amended, is immediately to be put to the vote.

## Part 10 - Procedural motions

### 10.1 Permissible procedural motions

In addition to the right to move an amendment to a primary motion (under Part 9), a Member may move the following procedural motions without notice, and if seconded, the procedural motion is to be dealt with immediately-

- (a) that the debate be adjourned;
- (b) that the meeting now adjourned;
- (c) that the motion be deferred;
- (d) that the motion be now put;
- (e) that the item be referred back to the CEO or a committee;
- (f) that the Member be no longer heard;
- (g) that the ruling of the Presiding Member be disagreed with;
- (h) that the meeting be closed to the public (see clause 6.2),
- (i) that the meeting be now closed;
- (j) that the operation of one or more of the provisions of the local law be suspended.

### 10.2 No debate

- (1) The mover of a motion specified in paragraph (a), (b), (c), (e), (f), (h), (i) or (j) of clause 10.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in clause 10.1(d) or 10.1(g) may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

### 10.3 Who may move

With the exception of clause 10.1(g), a Member who has moved, seconded, or spoken for or against the primary motion, or any amendment to the primary motion, cannot move any procedural motion which, if carried, would close the debate on the primary motion or amendment.

### 10.4 Procedural motions - right of reply on primary motion

The carrying of a procedural motion which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the primary motion or amendment.

### 10.5 Debate to be adjourned

- (1) A motion "that the debate be adjourned"-
  - (a) is to state the time to which the debate is to be adjourned; and
  - (b) if carried, has the effect that all debate on the primary motion or amendment ceases immediately, but continues at the time stated in the motion.
- (2) A motion "that debate be adjourned" must not be moved in respect of the election of a Presiding Member, Chair or Deputy Chair.
- (3) A Member must not, at the same meeting, move or second more than one motion "that the debate be adjourned" in respect of the same item.

**10.6 Meeting now adjourn**

- (1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution (see clause 5.7).
- (3) A motion “that the meeting now adjourn”-
  - (a) is to state the time and date to which the meeting is to be adjourned; and
  - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under clause 10.6(3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

**10.7 Motion be deferred**

- (1) If a motion “that the motion be deferred”, is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.
- (2) A motion “that the motion be deferred” must not be moved in respect of the election of a Presiding Member, Chair or Deputy Chair.

**10.8 Motion to be put**

- (1) If the motion “that the motion be now put”, is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.
- (2) If the motion “that the motion be now put” is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

**10.9 That the item be referred back to the CEO or a committee**

- (1) If a motion “that the item be referred back to the CEO or a committee” is carried, debate on the primary motion and any amendment is to cease and the primary motion, excluding any amendment, is to be referred back to the CEO or a committee for further consideration.
- (2) If the motion in clause 10.9(1) is lost, debate on the primary motion or amendment is to continue.

**10.10 Member to be no longer heard**

If the motion “that the member be no longer heard”, is carried, the speaker against whom the motion has been moved cannot speak further on the current primary motion, or any amendment relating to it, except to exercise the right of reply if they are the mover of the primary motion.

**10.11 Ruling of the Presiding Member to be disagreed with**

If the motion “that the ruling of the Presiding Member be disagreed with”, is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

**10.12 The meeting be now closed**

- (1) If a motion “that the meeting be closed”, is carried, then -
  - (a) the Presiding Member is to close the meeting, and no further business may be transacted; and
  - (b) any business outstanding on the agenda for that meeting shall be carried forward to the agenda for the next ordinary meeting.
- (2) If the motion “that the meeting be now closed” is carried at a meeting of the Council -
  - (a) the names of Members who have spoken on the matter are to be recorded in the minutes; and
  - (b) the provisions of clause 7.9 (speaking twice) apply when the outstanding business is resumed.

**Part 11 - Disclosure of interests****11.1 Disclosure of interests**

Disclosure of interests is dealt with in the Act and the Regulations.

**Part 12 - Voting****12.1 Motion - when put**

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the Presiding Member -
  - (a) is to put the motion to the Council; and
  - (b) if requested by any Member, is to again state the terms of the motion.
- (2) A Member is not to leave or cross the meeting room when the Presiding Member is putting any motion.
- (3) A Member must not, while any other member is speaking, pass between the speaker and the Presiding Member or pass behind the Presiding Member.

**12.2 Voting**

Voting is dealt with in the Act and the Regulations.

**12.3 Majorities required for decisions**

The majorities required for decisions of the Council and committees are dealt with in the Act.

**12.4 Method of taking vote**

- (1) Each Council Member and each member of a committee who is present at a meeting of the Council or committee is entitled to one vote.



- (2) Subject to section 5.67 of the Act, each Council Member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the Council or committee is to vote.
- (3) If the votes of Members present at a Council meeting or members present at a committee meeting are equally divided, the Presiding Member is to cast a second vote.
- (4) In taking the vote on any motion or amendment, the Presiding Member-
  - (a) is to put the motion, first in the affirmative, and then in the negative;
  - (b) may put the motion in this way as often as may be necessary to enable them to determine whether the affirmative or the negative has the majority of votes;
  - (c) may accept a vote on the voices or may require a show of hands; and,
  - (d) is, subject to this clause, to declare the result.
- (5) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (6) If a Member of Council or the member of a committee specifically requests that there be recorded -
  - (a) their vote; or,
  - (b) the vote of all Members present,on a matter voted on at a meeting of the Council or committee, the Presiding Member is to cause the vote or votes, as the case may be, to be recorded in the minutes.

## Part 13 – Minutes of meetings

### 13.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

### 13.2 Content of minutes

The content of minutes is dealt with in the Regulations.

### 13.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Regulations.

### 13.4 Confirmation of minutes

- (1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.
- (2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes -
  - (a) state the item or items with which they are dissatisfied; and
  - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

## Part 14 - Adjournment of meeting

### 14.1 Meeting may be adjourned

The Council may adjourn any meeting-

- (a) to a later time on the same day; or
- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

### 14.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under this local law-

- (a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 7.9 (speaking twice) apply when the debate is resumed.

## Part 15 – Revoking or changing decisions

### 15.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

### 15.2 Procedure for moving a revocation motion

- (1) A motion to revoke or change a decision made at a meeting -
  - (a) must be in writing in a form prescribed by the Local Government;
  - (b) specify the decision proposed to be revoked or changed;
  - (c) include a reason or reasons for the revocation motion;
  - (d) be supported by the number of members required under the Regulations;
  - (e) specify the date of the ordinary or special meeting of the Council or the committee where it is to be presented, as the case may be; and
  - (f) be given to the CEO in accordance with the notice of motion provisions in clause 5.4;
- (2) Any notice of revocation motion given to the CEO must be dealt with in accordance with clause 5.4.

### 15.3 Limitations on powers to revoke or change decisions

- (1) Subject to clause 15.3(2), the Council or a committee is not to consider a motion to revoke or change a decision-
  - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 15.4 to implement the decision; or
  - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in clause 15.3(1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

### 15.4 Implementing a decision

- (1) In this clause-
  - (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
  - (b) "implement", in relation to a decision, includes-
    - (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
    - (ii) take any other action to give effect to the decision; and
  - (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and this local law and may be considered, but has not yet been considered, by the Council or a committee as the case may be.
- (2) Subject to clause 15.4(4), and unless a resolution is made under clause 15.4(3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.

- (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
- (4) A decision made at a meeting is not to be implemented by the CEO or any other person-
  - (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
  - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
- (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation-
  - (a) is to take effect only in accordance with this clause; and
  - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

## **Part 16 - Suspension of local laws**

### **16.1 Suspension of local laws**

- (1) A Member may at any time move that the operation of one or more of the provisions of this local law be suspended.
- (2) A Member moving a motion under clause 16.1(1) is to state the reasons for the motion but no other discussion is to take place.
- (3) A motion under clause 16.1(1) which is-
  - (a) seconded; and
  - (b) carried by an absolute majority,
 is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

## **Part 17 - Miscellaneous**

### **17.1 Representation on public bodies**

When the Council is required to appoint or nominate a member/person to a public body, written notice of the vacancy or need for the appointment or nomination is to be given to all Members and the Council is by resolution to determine the appointment or nomination.

### **17.2 Improper use of information**

The improper use of information is dealt with in the Act.

### **17.3 Application to committees**

- (1) Unless otherwise provided in this local law, the provisions of this local law are to apply to meetings of committees with the exception of-
  - (a) clause 7.1 (seating); and
  - (b) clause 7.9 (speaking twice).

- (2) Notwithstanding clause 17.3(1), there is to be no public question time in meetings of committees other than a committee to which the Council has delegated a power or duty under section 5.17 of the Act.

**17.4 Cases not provided for in this local law**

Where there is no provision or insufficient provision is made in this local law, the Presiding Member is to determine the procedure to be observed.

**Part 18 - Enforcement**

**18.1 Enforcement**

The right to prosecute for any offence committed under this local law is dealt with in the Act.

Dated: 17 December 2020

The Common Seal of the Mindarie Regional Council was affixed by the authority of a resolution of Council in the presence of-

---

DAVID BOOTHMAN  
Chairperson

---

GÜNTHER HOPPE  
Chief Executive Officer

## SCHEDULE 1

### PETITION TO THE MINDARIE REGIONAL COUNCIL

---

[cl.6.10(2)(a)]

To the Chair and Members of the Mindarie Regional Council

We, the undersigned, all being electors of the Member Councils (ie, City of Joondalup, City of Perth, City of Stirling, City of Vincent, City of Wanneroo, Town of Cambridge and the Town of Victoria Park) of the Mindarie Regional Council do respectfully request that the Council -

***[Here set out a concise statement of facts and the action sought]***

*Example:*

*Investigate the possibility of alternate uses for the methane gas generated by landfill operations at Tamala Park waste facility.)*

Correspondence in respect of this petition should be addressed to -

***[Here set out the name and address of the person to whom the petition is directed]***

*Example:*

*Chief Executive Officer  
Mindarie Regional Council  
P O Box 2746  
Clarkson  
WA 6030*

The names and addresses of your petitioners are as follows -

Date	Full Name	Address	Signature	Opinion
<i>Example</i>				
24.09.2020	John Smith	87 Pederick Street, Wanneroo, WA 6030		Agree/Disagree/ no Opinion

*Note - Petitioners may contact the CEO of the Mindarie Regional Council if they wish to withdraw from this petition or change their comment.*

*Please refer to clause 6.10 of the Mindarie Regional Council Meeting Procedures  
Local Law 2020 for more information on lodging a Petition*

**Proposed Mindarie Regional Council Meeting Procedures Local Law 2020  
tracked changes**

Item  
9.5

APPENDIX 10

Item  
9.5

## WESTERN AUSTRALIA

## Local Government Act 1995

MINDARIE REGIONAL COUNCIL  
Meeting Procedures Local Law 2020

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## LOCAL GOVERNMENT ACT 1995

### MINDARIE REGIONAL COUNCIL Meeting Procedures Local Law 2020

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the Mindarie Regional Council resolved on ~~24 September 2020~~ [INSERT DATE] to make the following local law.

## Part 1 - Preliminary

### 1.1 Citation

This local law may be cited as the Mindarie Regional Council Meeting Procedures Local Law 2020.

### 1.2 Commencement

By virtue of section 3.14 of the Act, this ~~Local Law~~ comes into operation 14 days after the date of its publication in the *Government Gazette*.

### 1.3 Application and intent

- (1) This ~~Local Law~~ provides rules and guidelines which apply to the conduct of meetings of the Council and its committees.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and this ~~Local Law~~.
- (3) This ~~Local Law~~ is intended to result in:
  - (a) better decision-making by the Council and committees;
  - (b) the orderly conduct of meetings dealing with Council business;
  - (c) better understanding of the process of conducting meetings; and
  - (d) the more efficient and effective use of time at meetings.

### 1.4 Interpretation

- (1) In this ~~Local Law~~ unless the context otherwise requires:
  - absolute majority*** has the meaning given to it in the Act;
  - Act*** means the *Local Government Act 1995*;
  - CEO*** means the Chief Executive Officer of the Mindarie Regional Council;
  - Chair*** means the Chair of the Mindarie Regional Council or other Presiding Member at a Council meeting under section 5.6 of the Act;
  - committee*** means a committee of the Council established under section 5.8 of the Act;
  - committee meeting*** means a meeting of a committee;
  - Council*** means the Council of the Mindarie Regional Council;

**Deputy Chair** means the Deputy Chair of the Mindarie Regional Council or other Presiding Member at a Council meeting under section 5.6 of the Act

**Local Government** means the Mindarie Regional Council;

**meeting** means a meeting of the Council or a committee, as the context requires;

**Member** has the meaning given to it in the Act;

**Member Council** refers to the constituent member local governments of the Mindarie Regional Council;

**Minister** shall mean the Minister for Local Government;

**primary motion** means an original motion or an original motion as amended, but does not include an amendment or a procedural motion;

**Presiding Member** means:

- (a) in respect of the Council, the person presiding under section 5.6 of the Act; and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

**Regulations** means the *Local Government (Administration) Regulations 1996*;

**simple majority** means more than 50% of the members present and voting.

- (2) Unless otherwise defined in this ~~Local Law~~, the terms and expressions used in this ~~Local Law~~ are to have the meaning given to them in the Act and Regulations.

## 1.5 Repeal

~~The following Local Law is repealed:~~

~~MINDARIE REGIONAL COUNCIL STANDING ORDERS AMENDMENT LOCAL LAW 2013.~~

~~This local law repeals the *Mindarie Regional Council Standing Orders Local Law 2010* as published in the Government Gazette on 28 July 2011.~~



## Part 2 – Establishment and membership of committees

### 2.1 Establishment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include:
  - (a) the terms of reference of the committee;
  - (b) the number of Council members, officers and other persons to be appointed to the committee;
  - (c) the names or titles of the Council members and officers to be appointed to the committee;
  - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
  - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.
- (3) This ~~Local Law~~ is to apply to the conduct of Committee meetings.

### 2.2 Types of committees

The types of committees are dealt with in the Act.

### 2.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.

### 2.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

### 2.5 Appointment of committee members

The appointment of committee members is dealt with in the Act.

### 2.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

### 2.7 Resignation of committee members

The resignation of committee members is dealt with in the Regulations.

### 2.8 Register of delegations to committees

The register of delegations to committees is dealt with in the Act.

### 2.9 Committees to report

A committee:

- (a) is answerable to the Council; and
- (b) is to report on its activities when, and to the extent, required by the Council.

### ~~2.10 Local law to apply~~

~~This Local Law applies generally to Committee meetings except for clause 7.1 in respect of Members' seating and clause 7.9 in respect of speaking twice.~~

## **Part 3 - Calling and convening meetings**

### **3.1 Ordinary and special Council meetings**

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

### **3.2 Calling Council meetings**

The calling of Council meetings is dealt with in the Act.

### **3.3 Convening Council meetings**

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to clause 3.3(3), the CEO is to give at least 72 hours' notice, for the purposes of section 5.5, in convening a special meeting of the Council.
- (3) Where, in the opinion of the Chair or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

### **3.4 Calling committee meetings**

The CEO is to call a meeting of any committee when requested by the Chair, the Presiding Member of a committee or any two members of that committee.

### **3.5 Public notice of meetings**

Public notice of meetings is dealt with in the Regulations.

## Part 4 – Presiding Member and quorum

### *Division 1: Who presides*

- 4.1 Who presides**  
Who presides at a Council meeting is dealt with in the Act.
- 4.2 When the Deputy Chair can act**  
When the Deputy Chair can act is dealt with in the Act.
- 4.3 Who acts if no Chair**  
Who acts if there is no Chair is dealt with in the Act.
- 4.4 Election of Presiding Members of committees**  
The election of Presiding Members of committees and their deputies is dealt with in the Act.
- 4.5 Election of deputy Presiding Members of committees**  
The election of deputy Presiding Members of committees is dealt with in the Act.
- 4.6 Functions of deputy Presiding Members**  
The functions of deputy Presiding Members are dealt with in the Act.
- 4.7 Who acts if no Presiding Member**  
Who acts if there is no Presiding Member is dealt with in the Act.

### *Division 2 – Quorum*

- 4.8 Quorum for meetings**  
The quorum for meetings is dealt with in the Act.
- 4.9 Reduction of quorum for Council meetings**  
The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.
- 4.10 Reduction of quorum for committee meetings**  
The reduction of a quorum for committee meetings is dealt with in the Act.
- 4.11 Procedure where no quorum to begin a meeting**  
The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.
- 4.12 Procedure where quorum not present during a meeting**  
If at any time during a meeting a quorum is not present, the Presiding Member is
  - (a) is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
  - (b) if a quorum is not present at the expiry of that period, the Presiding Member is to adjourn the meeting to some future time or date.
- 4.13 Names to be recorded**  
At any meeting is
  - (a) at which there is not a quorum present; or
  - (b) which is adjourned for want of a quorum,
the names of the Members then present are to be recorded in the minutes.

## Part 5 - Business of a meeting

### 5.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council or committee other than that specified in the agenda, except for matters which the Act or clause 5.4 allow.
- (2) No business is to be transacted at a special meeting of the Council or committee other than that given in the notice as the purpose of the meeting.
- (3) Subject to clause 5.1(4), no business is to be transacted at an adjourned meeting of the Council other than that:
  - (a) specified in the notice of the meeting which had been adjourned; and
  - (b) which remains unresolved.
- (4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering reports at that ordinary meeting.
- (5) The CEO may withdraw an item from the agenda of a meeting.

### 5.2 Order of business

- (1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows:
  1. Declaration of Opening/Announcement of Visitors
  2. Noting of Attendance/Apologies/Leaves of Absence
  3. Declaration of interests
  4. Public Question Time
  5. Announcements by the Presiding Person
  6. Applications for Leaves of Absence
  7. Petitions/Deputations/Presentations
  8. Confirmation of minutes
  9. Chief Executive Officer Reports
  10. Members Information Bulletin
  11. Motions of which previous notice has been given
  12. Urgent Business
  13. Questions from Members of which due notice has been given
  14. Matters for which the meeting may be closed to the Public
  15. Next meeting
  16. Closure
- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.
- (4) At any meeting of the Council the presiding person may announce or raise any matter of interest or matter affecting the Mindarie Regional Council.

- (5) The requirement for members to obtain leave of absence from meetings of the Council is dealt with in the Act.
- (6) A member who requests that leave of absence be granted for a member need not put the request in writing but must state the period of leave and the reasons for the request.
- (7) At the conclusion of all business or when otherwise determined by the meeting, the presiding person is to declare the meeting closed and state the closing time.

### **5.3 Reports of the CEO**

- (1) The functions of the CEO, including to advise the Council and implement decisions, are dealt with in the Act.
- (2) The CEO may prepare or cause to be prepared any report that in the CEO's opinion requires consideration by the Council, including any report of a late or urgent nature.

### **5.4 Motions of which previous notice has been given**

- (1) Unless the Act, Regulations or this ~~Local Law~~ otherwise provide, a Member may raise at a meeting such business as they consider appropriate, in the form of a motion, of which notice has been given in writing to the CEO, in compliance with this clause 5.4, and which has been included on the agenda.
- (2) A notice of motion under clause 5.4(1) is to be in the form prescribed by the Local Government, to be signed by the Member and given at least 15 clear working days before the meeting at which the motion is to be moved.
- (3) At the time of giving the notice of motion, the Member must also provide a reason for the motion.
- (4) A notice of motion is to relate to a purpose for which the Mindarie Regional Council is established.
- (5) The CEO -
  - (a) may, with the concurrence of the Chair, exclude from the agenda any notice of motion deemed to be, or likely to involve, a breach of any of this ~~Local Law~~ or any other written law;
  - (b) will inform all Members on each occasion that a notice has been excluded and the reasons for that exclusion as soon as practicable;
  - (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
  - (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, strategy, budget and law.
- (6) A motion of which notice has been given is to lapse unless:
  - (a) the Member who gave notice of it, or another Member authorised by the originating Member in writing, moves the motion when called on; or
  - (b) the Council or committee deciding on a motion agrees to defer consideration of the motion to a later stage or date.

- (7) If a notice of motion is given and lapses under clause 5.4(6), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.
- (8) Where a notice of motion is moved and seconded at a meeting of Council or Committee, it is to be treated as a primary motion.

### **5.5 New business of an urgent nature**

- (1) In cases of extreme urgency or other special circumstances, matters may, through a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In clause 5.5(1), '*cases of extreme urgency or other special circumstances*' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.
- (3) Before debate begins on a matter under this clause that is not the subject of a written report from the CEO to the meeting –
  - (a) The Presiding Member is to ask the CEO to give; and
  - (b) the CEO, or the CEO's nominee, is to give, a verbal report to the meeting on the matter.
- (4) Where urgent business is considered at a meeting under this clause, the minutes of the meeting are to include:
  - (a) a summary of the verbal report and any recommendations of the CEO or the CEO's nominee; and
  - (b) the reasons for any decision made at the meeting that is significantly different from any recommendations of the CEO or the CEO's nominee.

### **5.6 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 clear working days before the meeting at which it is raised.
- (2) If the question referred to in clause 5.6(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.

### **5.7 Adoption by exception resolution**

- (1) In this clause '*adoption by exception resolution*' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.
- (2) Subject to clause 5.7(3), the Local Government may pass an adoption by exception resolution.

- (3) An adoption by exception resolution may not be used for a matter:
  - (a) in which an interest has been disclosed;
  - (b) that has been the subject of a petition or deputation;
  - (c) that is a matter on which a Member wishes to make a statement; or
  - (d) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

## Part 6 - Public participation

### 6.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

### 6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under clause 6.2(2) is carried:
  - (a) the Presiding Member is to:
    - (i) direct all members of the public, other than a person specified in the resolution, to leave the meeting; and
    - (ii) in consultation with the CEO, request specified employees to leave the meeting; and
    - (iii) in consultation with the CEO, request Member Council employees to leave the meeting
  - (b) the meeting is to remain closed to the public until the Council or the committee, resolves to reopen the meeting.
- (4) A person who fails to comply with a direction under clause 6.2(3)(a) may, by order of the Presiding Member, be removed from the meeting.
- (5) While the resolution under clause 6.2(2) remains in force, the operation of clause ~~7.10-9~~ is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) The Presiding Member is to ensure that any resolution of the Council, and the Members' voting thereon, is to be included in the minutes.
- (8) Once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed and the Members' voting thereon, is to be read out.
- (9) In the event that no member of the public returns to the meeting after it is reopened, any resolution, including the details of any voting, need not be read aloud but be recorded in the minutes of the meeting.

**6.3 Question time for the public**

Question time for the public is dealt with in the Act.

**6.4 Question time for the public at certain meetings**

Question time for the public at certain meetings is dealt with in the Regulations.

**6.5 Minimum question time for the public**

Minimum question time for the public is dealt with in the Regulations.

**6.6 Procedures for question time for the public**

Procedures for question time for the public are dealt with in the Regulations.

**6.7 Other procedures for question time for the public**

- (1) A member of the public who raises a question during question time, is to state their name and address.
- (2) A question may be taken on notice by the Council for later response.
- (3) When a question is taken on notice the CEO is to ensure that:
  - (a) a response is given to the member of the public in writing; and
  - (b) a summary of the response is included in the agenda of the next meeting of the Council.
- (4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
  - (a) declare that he or she has an interest in the matter; and
  - (b) allow another person to respond to the question.
- (5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.
- (6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
- (7) The Presiding Member may decide that a public question shall not be responded to where:
  - (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
  - (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
  - (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.
- (8) A member of the public shall have three minutes to ask a question.
- (9) The Council, by resolution, may agree to extend public question time.



- (10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.
- (11) The Presiding Member is to endeavour to have every question responded to at the meeting at which it is asked but where this is not possible, the question is to be taken on notice and where practicable, a written response is to be provided to the person who asked the question and a copy the response is to be included in the agenda of the next ordinary meeting of the Council or committee as the case requires.
- (12) A Member who participates in the role of a councillor during a meeting must not participate as a member of the public without leave of absence granted by the Council;
- (13) A Member who wishes to participate, not in the role of councillor but as a member of the public and sit in the public gallery, during a meeting, may do so only after obtaining the requisite leave of absence from the Council.

#### **6.8 Distinguished visitors**

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor shall be recorded in the minutes.

#### **6.9 Deputations and Statements**

- (1) Any person or group wishing to be received as a deputation by the Council, or who wishes to make a statement, is to either:
  - (a) apply, before the meeting, to the CEO for approval; or
  - (b) with the approval of the Presiding Member, at the meeting, to address the Council.
- (2) The CEO may either:
  - (a) approve a request received under clause 6.9(1)(a) and invite the deputation, or person or group wishing to make a statement, to attend a meeting of the Council; or
  - (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation or to allow the statement.
- (3) Unless the Council resolves otherwise, a deputation invited to attend a Council meeting, or an individual or a group wishing to make a statement:
  - (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
  - (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
  - (c) additional members of the deputation or the group may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation or a statement to the Council is not to be decided by the Council until the deputation has completed its presentation, or the individual or group wishing to make a statement has done so.

### 6.10 Petitions

- (1) A petition received by a Member or the CEO is to be presented to the next ordinary Council meeting.
- (2) Any petition to the Council is ~~to~~
  - (a) as far as practicable to be prepared in the form prescribed in the Schedule 1;
  - (b) to be addressed to the Council and forwarded to a Member or the CEO; and
  - (c) to state the name and address of the person to whom correspondence in respect of the petition may be served.
- (3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless ~~it~~
  - (a) the matter is the subject of a report included in the agenda; and
  - (b) the Council has considered the issues raised in the petition.

### 6.11 Presentations

- (1) If the CEO determines that it would be beneficial for a presentation to be made, with the agreement of the Presiding Member, the presentation may take place under this order of business or at the time of dealing with that particular item of business.
- (2) The time for the presentation and any questions from members will be determined by the Presiding Member according to the particular case or circumstance.

### 6.12 Participation at committee meetings

- (1) In this clause, **person** means the Presiding Member or a Member who is not a member of the relevant committee.
- (2) A person may attend, as an observer, any meeting of a committee and is to sit in an area set aside for observers separated from the committee members.
- (3) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under clause 6.12(4) may, by order of the Presiding Member, be removed from the committee room.

### 6.13 Council may meet to hear public submissions

- (1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.
- (2) The CEO and the Presiding member shall set the time and date of the meeting to provide the opportunity to be heard.

- (3) Where the Council resolves to meet to provide the opportunity to be heard under clause 6.13(1), the Presiding Member shall:
  - (a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;
  - (b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
  - (c) cause minutes to be kept of the meeting to provide the opportunity to be heard.
- (4) A meeting held under clause 6.13(1) shall be conducted only to hear submissions. ~~the~~The Council shall not make resolutions at a meeting to provide the opportunity to be heard.
- (5) At a meeting held under clause 6.13(1), each person making a submission shall be provided with the opportunity to fully state their case.
- (6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.
- (7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.
- (8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.
- (9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under clause 6.13(8).

#### **6.14 Public Inspection of agenda materials**

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at The Administration Building, 1700 Marmion Avenue, Tamala Park WA 6030 and on the Local Government's website.

#### **6.15 Confidentiality of information withheld**

- (1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be:
  - (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed";
  - (b) marked "*Confidential*" in the agenda; and
  - (c) kept confidential by officers and Members until the Council resolves otherwise.
- (2) A Member of the MRC in receipt of confidential information under clause 6.15(1) or information that is provided or disclosed during a meeting or part of a meeting that is closed to the public, is not to disclose any of that information to any person other than another Member of the MRC

or an employee of the MRC to the extent necessary for the purpose of carrying out their duties as a Member.

- (3) Clause 16.2(2) does not prohibit a Member from disclosing information -
  - (a) at a closed meeting;
  - (b) to the extent specified by the Council and subject to such other conditions as the Council decides;
  - (c) that is already in the public domain;
  - (d) to an officer of the Department of Local Government;
  - (e) to the Minister;
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

#### **6.16 Recording of proceedings**

- (1) A person who uses any electronic, visual or audio recording device or instrument to record the proceedings of a meeting without the permission of the Council commits an offence.  
Penalty - \$1000.

~~(2)~~ Clause 6.16(1) does not apply if the recording is taken by or at the direction of the CEO with the permission of the Council.

~~(2)~~(3) The Presiding Member is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

#### **6.17 Media attendance**

Media representatives are permitted to attend meetings of the Council and be seated in that part of the Council chamber or meeting room that may be set aside for their use, but must leave the meeting during any period when the meeting is closed to the public.

#### **6.18 Prevention of disturbance**

- (1) A reference in this clause to a person is to a person other than a Member.
- (2) A person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the Presiding Member.
- (3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (4) A person shall ensure that their mobile telephone or audible pager is not switched on or used during any meeting of the Council.
- (5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.
- (6) Where a person is considered by the Presiding Member to be in breach of clause 6.18 (2) or 6.18 (3) the Presiding Member may direct the offending person to leave the meeting room and the person must immediately comply with that direction.

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## Part 7 – Conduct of Members

### 7.1 Members to be in their proper places

- (1) At the first meeting following each ordinary election, the CEO is to allocate a seat in the Council chamber to each Member.
- (2) Each Member is to occupy their allocated position at each Council meeting until the Council decides to reallocate positions.
- (3) The CEO is to sit beside the Presiding Member.

### 7.2 Respect to the Presiding Member

After the business of a Council has been commenced, a Member is not to enter or leave the meeting without first paying due respect to the Presiding Member.

### 7.3 Titles to be used

A speaker, when speaking or referring to the Presiding Member or to a councillor or employee, must use the title of that person's office.

### 7.4 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

### 7.5 Members to indicate their intention to speak

A Member of the Council who wishes to speak –

- (a) is to indicate their intention to speak by raising their hand or by another method determined by the Presiding Member; and
- (b) when invited by the Presiding Member to speak, must address the meeting through the Presiding Member.

### 7.6 Priority of speaking

- (1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.
- (2) A decision of the Presiding Member under clause 7.6(1) is not open to discussion or dissent.
- (3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

### 7.7 Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with this ~~Local~~ Law.

### 7.8 Relevance

- (1) A Member is to restrict their remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

- (2) The Presiding Member, at any time, may:
  - (a) call the attention of the meeting to:
    - (i) any irrelevant, repetitious, offensive or insulting language by a Member; or
    - (ii) any breach of order ~~or decorum~~ by a Member; and
  - (b) direct that Member, if speaking, to discontinue their speech.
- (3) A Member is to comply with the direction of the Presiding Member under clause 7.8(2) by immediately ceasing to speak.

### 7.9 Speaking twice

- (1) A Member is not to address the Council more than once on any motion or amendment except:
  - (a) as the mover of a substantive motion, to exercise a right of reply;
  - (b) to raise a point of order; or
  - (c) to make a personal explanation.
- (2) A Member who asks a question before speaking has not addressed the meeting for the purposes of this clause.

### 7.10 Duration of speeches

A Member may speak on a motion or an amendment or reply, for a period of only 5 minutes unless an extension of time is granted by the Council without debate, a Member's total speaking time on a motion must not exceed 10 minutes.

### 7.11 No speaking after conclusion of debate

- A Member is not to speak on any motion or amendment:
- (a) after the mover has replied; or
  - (b) after the motion has been put.

### 7.12 No interruption

- A Member is not to interrupt another Member who is speaking unless:
- (a) to raise a point of order;
  - (b) to call attention to the absence of a quorum;
  - (c) to make a personal explanation under clause 7.13; or
  - (d) to move a procedural motion that the Member be no longer heard under clause 10(1)(f).

### 7.13 Personal explanations

- (1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member their intention to make a personal explanation.
- (2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.
- (3) A Member making a personal explanation is to confine their observations to a succinct statement relating to a specific part of the speech at which they may have been misunderstood.

**7.14 No reopening of discussion**

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed (see Part 15).

**7.15 Adverse reflection**

- (1) A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed (see Part 15).
- (2) A Member is not ~~to~~
  - (a) to reflect adversely on the character or actions of another Member or officer; or
  - (b) to impute any motive to a Member or officer, unless the meeting resolves, without debate, that the motion then before the meeting cannot otherwise be adequately considered.
- (3) A Member is not to use offensive ~~or objectionable~~ expressions in reference to any Member, officer or other person.
- (4) If a Member specifically requests, immediately after their use, that any particular words used by a Member be recorded in the minutes ~~to~~
  - (a) the Presiding Member is to cause the words used to be taken down and read to the meeting for verification; and
  - (b) the Council may, by resolution, decide to record those words in the minutes.

**7.16 Withdrawal of offensive language**

- (1) A Member who, in the opinion of the Presiding Member, uses an expression which ~~to~~
  - (a) in the absence of a resolution under clause 7.15(2) ~~to~~
    - (i) reflects adversely on the character or actions of another Member or officer; or
    - (ii) imputes any motive to a Member or officer; or
  - (b) uses an expression that is offensive or objectionable must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.
- (2) If a Member fails to comply with a direction of the Presiding Member under clause 7.16(1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.



## Part 8 - Preserving order

### 8.1 Presiding Member to preserve order

- (1) The Presiding Member is to preserve order, and, whenever they consider it necessary, may call any Member to order.
- (2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that they wish to speak, is immediately to sit down and every Member present is to preserve strict silence so that the Presiding Member may be heard without interruption.
- (3) Clause 8.1(2) is not to be used by the Presiding Member to exercise the right provided in clause 7.7, but only to preserve order.

### 8.2 Point of order

- (1) A Member may object, by way of a point of order, only to a breach of:
  - (a) any of this ~~Local Law~~; or
  - (b) any other written law.
- (2) A Member expressing a difference of opinion with, or contradicting, a speaker is not to be recognised as raising a point of order.
- (3) Despite anything in this ~~Local Law~~ to the contrary, a point of order:
  - (a) takes precedence over any discussion; and
  - (b) until determined, suspends the consideration or discussion of any other matter.

### 8.3 Procedures on a point of order

- (1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.
- (2) A Member interrupted on a point of order is to resume their seat until:
  - (a) the Member raising the point of order has been heard; and
  - (b) the Presiding Member has ruled on the point of order, and, if permitted, the Member who has been interrupted may then proceed.
- (3) A Member raising a point of order is to specify one of the grounds of the breach of order before speaking further on the matter.

### 8.4 Calling attention to breach

A Member may, at any time, draw the attention of the Presiding Member to any breach of this ~~Local Law~~.

### 8.5 Ruling by the Presiding Member

- (1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the Presiding Member on a point of order:
  - ~~(a) is not to be the subject of debate or comment; and~~
  - (b) is to be final unless the majority of Members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.

- (3) Subject to a motion of dissent being carried under clause 8.5(2), if the Presiding Member rules that—
  - (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
  - (b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

#### **8.6 Continued breach of order**

If a Member—

- (a) persists in any conduct that the Presiding Member had ruled is out of order; or
  - (b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 8.5(3),
- the Presiding Member may direct the Member to refrain from taking any further part in the matter under discussion, other than by voting, and the Member is to comply with that direction.

#### **8.7 Right of Presiding Member to adjourn**

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.
- (4) If there is an adjournment under this clause, the names of the Members who have spoken on the motion or amendment before the adjournment are to be recorded in the minutes and those Members are not to speak to the motion when the meeting is resumed.

## Part 9 - Motions and amendments

### 9.1 Motions to be stated and in writing

- (1) The procedure for moving any motion or amendment is that:
  - (a) A Member who wishes to move a motion that is different to the officer recommendation, or an amendment to the officer recommendation, is to give notice of that motion by midday on the day that is 2 business days before the meeting.
  - (b) Any motion or amendment for which notice has not been given in accordance with clause 9.1(a) is required to have the consent of the Presiding Member.
  - (c) The mover must state the motion without speaking to it and is to put the motion in writing if required by the Presiding Member.
- (2) Where a Member moves a motion which differs from the relevant recommendation, or an amendment to a motion, the Presiding Member shall ask if the CEO wishes to give a verbal report to the meeting on the matter.

### 9.2 Motions to be seconded

- (1) A primary motion or an amendment to a primary motion is not open to debate or put to the vote until it has been seconded.
- (2) A nomination to any position is not required to be seconded.
- (3) A Member seconding a motion is to be taken to have reserved the right to speak on the motion later in the debate.
- (4) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

### 9.3 Unopposed business

- (1) Immediately after a primary motion or amendment has been moved and seconded, the Presiding Member may ask the meeting if any Member opposes it.
- (2) If no Member opposes the motion, the Presiding Member may put the motion to the vote without debate.
- (3) A motion declared carried under this clause is to be recorded in the minutes as a unanimous decision of the Council.
- (4) If a Member opposes a motion, the motion is to be dealt with under this Part 9.
- (5) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting (see Part 15).

### 9.4 Only one primary motion at a time

The Council or committee -

- (a) is not to accept a primary motion while another primary motion is being debated; and
- (b) is not to consider more than one primary motion at any time.

- (c) the Presiding Member may require that a complex primary motion, or a complex amendment to a primary motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.

#### **9.5 Order of call in debate**

The Presiding Member is to call speakers to a primary motion in the following order:-

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) other speakers against and for the motion, alternating where possible; and
- (f) mover takes right of reply which closes debate.

#### **9.6 Limit of debate**

The Presiding Member may offer the right of reply and put a primary motion to the vote if they believe that sufficient discussion has taken place and where no other Member has given an indication to speak to the motion.

#### **9.7 Member may require motion to be read**

A Member may require the motion or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member who is speaking.

#### **9.8 Consent of seconder required for alteration**

The mover of a primary motion may not alter the wording of the motion without the consent of the seconder.

#### **9.9 Order of amendments**

Any number of amendments may be proposed to a primary motion, but when an amendment is moved to a primary motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

#### **9.10 Form of an amendment**

An amendment must add, delete, or substitute words to the primary motion.

#### **9.11 Amendment must not negate original motion**

An amendment to a primary motion cannot negate the original motion or the intent of the original motion.

#### **9.12 Relevance of amendments**

Each amendment is to be relevant to the motion in respect of which it is moved.

#### **9.13 Mover of motion may speak on amendment**

Any Member may speak during debate on an amendment.

#### **9.14 Effect of an amendment**

If an amendment to a primary motion is carried, the motion as amended then becomes the primary motion, on which any Member may speak and any further amendment may be moved.

**9.15 Withdrawal of motion or amendment**

- (1) Subject to clause 9.15(2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.
- (2) Where an amendment has been proposed to a primary motion, the primary motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

**9.16 Right of reply**

- (1) The mover of a primary motion has the right of reply.
- (2) The mover of any amendment to a primary motion has a right of reply.
- (3) The right of the reply may only be exercised:
  - (a) where no amendment is moved to the primary motion – at the conclusion of the discussion on the motion; or
  - (b) where one or more amendments have been moved to the primary motion – at the conclusion of the discussion on the primary motion and any amendments.
- (4) After the mover of the primary motion has commenced the reply:
  - (a) no other Member is to speak on the motion;
  - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (6) At the conclusion of the right of reply, the primary motion, or the primary motion as amended, is immediately to be put to the vote.

## Part 10 - Procedural motions

### 10.1 Permissible procedural motions

In addition to the right to move an amendment to a primary motion (under Part 9), a Member may move the following procedural motions without notice, and if seconded, the procedural motion is to be dealt with immediately:

- (a) that the debate be adjourned;
- (b) that the meeting now adjourn;
- (c) that the motion be deferred;
- (d) that the motion be now put;
- (e) that the item be referred back to the CEO or a committee;
- (f) that the Member be no longer heard;
- (g) that the ruling of the Presiding Member be disagreed with;
- (h) that the meeting be closed to the public (see clause 6.2);
- (i) that the meeting be now closed;
- (j) ~~that the operation of clause 7.9 (speaking twice) be suspended.~~ that the operation of one or more of the provisions of the local law be suspended.

### 10.2 No debate

- (1) The mover of a motion specified in paragraph (a), (b), (c), (e), (f), (h), (i) or (j) of clause 10.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion specified in clause 10.1(d) or 10.1(g) may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

### 10.3 Who may move

With the exception of clause 10.1(g), a Member who has moved, seconded, or spoken for or against the primary motion, or any amendment to the primary motion, cannot move any procedural motion which, if carried, would close the debate on the primary motion or amendment.

### 10.4 Procedural motions - right of reply on primary motion

The carrying of a procedural motion which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the primary motion or amendment.

### 10.5 Debate to be adjourned

- (1) A motion "that the debate be adjourned":
  - (a) is to state the time to which the debate is to be adjourned; and
  - (b) if carried, has the effect that all debate on the primary motion or amendment ceases immediately, but continues at the time stated in the motion.
- (2) A motion "that debate be adjourned" must not be moved in respect of the election of a Presiding Member, Chair or Deputy Chair.
- (3) A Member must not, at the same meeting, move or second more than one motion "that the debate be adjourned" in respect of the same item.

**10.6 Meeting now adjourn**

- (1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.
- (2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution (see clause 5.7).
- (3) A motion “that the meeting now adjourn” ~~is~~
  - (a) is to state the time and date to which the meeting is to be adjourned; and
  - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.
- (4) A meeting adjourned under clause 10.6(3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

**10.7 Motion be deferred**

- (1) If a motion “that the motion be deferred”, is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.
- (2) A motion “that the motion be deferred” must not be moved in respect of the election of a Presiding Member, Chair or Deputy Chair.

**10.8 Motion to be put**

- (1) If the motion “that the motion be now put”, is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.
- (2) If the motion “that the motion be now put” is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.
- (3) This motion, if lost, causes debate to continue.

**10.9 That the item be referred back to the CEO or a committee**

- (1) If a motion “that the item be referred back to the CEO or a committee” is carried, debate on the primary motion and any amendment is to cease and the primary motion, excluding any amendment, is to be referred back to the CEO or a committee for further consideration.
- (2) If the motion in clause 10.9(1) is lost, debate on the primary motion or amendment is to continue.

**10.10 Member to be no longer heard**

If the motion “that the member be no longer heard”, is carried, the speaker against whom the motion has been moved cannot speak further on the current primary motion, or any amendment relating to it, except to exercise the right of reply if they are the mover of the primary motion.

**10.11 Ruling of the Presiding Member to be disagreed with**

If the motion “that the ruling of the Presiding Member be disagreed with”, is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

**10.12 The meeting be now closed**

- (1) If a motion “that the meeting be closed”, is carried, then :
  - (a) the Presiding Member is to close the meeting, and no further business may be transacted; and
  - (b) any business outstanding on the agenda for that meeting shall be carried forward to the agenda for the next ordinary meeting.
- (2) If the motion “that the meeting be now closed” is carried at a meeting of the Council:
  - (a) the names of Members who have spoken on the matter are to be recorded in the minutes; and
  - (b) the provisions of clause 7.9 (speaking twice) apply when the outstanding business is resumed.

**Part 11 - Disclosure of interests****11.1 Disclosure of interests**

Disclosure of interests is dealt with in the Act and the Regulations.

**Part 12 - Voting****12.1 Motion - when put**

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the Presiding Member -
  - (a) is to put the motion to the Council; and
  - (b) if requested by any Member, is to again state the terms of the motion.
- (2) A Member is not to leave or cross the meeting room when the Presiding Member is putting any motion.
- (3) A Member must not, while any other member is speaking, pass between the speaker and the Presiding Member or pass behind the Presiding Member.

**12.2 Voting**

Voting is dealt with in the Act and the Regulations.

**12.3 Majorities required for decisions**

The majorities required for decisions of the Council and committees are dealt with in the Act.

**12.4 Method of taking vote**

- (1) Each Council Member and each member of a committee who is present at a meeting of the Council or committee is entitled to one vote.



- (2) Subject to section 5.67 of the Act, each Council Member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the Council or committee is to vote.
- (3) If the votes of Members present at a Council meeting or members present at a committee meeting are equally divided, the Presiding Member is to cast a second vote.
- (4) In taking the vote on any motion or amendment, the Presiding Member:
  - (a) is to put the motion, first in the affirmative, and then in the negative;
  - (b) may put the motion in this way as often as may be necessary to enable them to determine whether the affirmative or the negative has the majority of votes;
  - (c) may accept a vote on the voices or may require a show of hands; and,
  - (d) is, subject to this clause, to declare the result.
- (5) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.
- (6) If a Member of Council or the member of a committee specifically requests that there be recorded -
  - (a) their vote; or,
  - (b) the vote of all Members present,on a matter voted on at a meeting of the Council or committee, the Presiding Member is to cause the vote or votes, as the case may be, to be recorded in the minutes.

## Part 13 – Minutes of meetings

### 13.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

### 13.2 Content of minutes

The content of minutes is dealt with in the Regulations.

### 13.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Regulations.

### 13.4 Confirmation of minutes

- (1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.
- (2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes -
  - (a) state the item or items with which they are dissatisfied; and
  - (b) propose a motion clearly outlining the alternative wording to amend the minutes.
- (3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

## Part 14 - Adjournment of meeting

### 14.1 Meeting may be adjourned

The Council may adjourn any meeting:-

- (a) to a later time on the same day; or
- (b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

### 14.2 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under this ~~Local Law:-~~

- (a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
- (b) debate is to be resumed at the next meeting at the point where it was interrupted; and
- (c) the provisions of clause 7.9 (speaking twice) apply when the debate is resumed.

## Part 15 – Revoking or changing decisions

### 15.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

### 15.2 Procedure for moving a revocation motion

- (1) ~~In this clause:~~ A motion to revoke or change a decision made at a meeting -
  - (a) must be in writing in a form prescribed by the Local Government;
  - (b) specify the decision proposed to be revoked or changed;
  - (c) include a reason or reasons for the revocation motion;
  - (d) be supported by the number of members required under the Regulations;
  - (e) specify the date of the ordinary or special meeting of the Council or the committee where it is to be presented, as the case may be; and
  - (f) be given to the CEO in accordance with the notice of motion provisions in clause 5.4;
- (2) Any notice of revocation motion given to the CEO must be dealt with in accordance with clause 5.4.

### 15.3 Limitations on powers to revoke or change decisions

- (1) Subject to clause 15.3(2), the Council or a committee is not to consider a motion to revoke or change a decision:
  - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 15.3-4 to implement the decision; or
  - (b) where the decision is procedural in its form or effect.
- (2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in clause 15.3(1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

### 15.4 Implementing a decision

- (1) ~~In this clause:~~
  - (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
  - (b) "implement", in relation to a decision, includes:
    - (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
    - (ii) take any other action to give effect to the decision; and
  - (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and this ~~Local Law~~ and may be considered, but has not yet been considered, by the Council or a committee as the case may be.
- (2) Subject to clause 15.4(4), and unless a resolution is made under clause 15.4(3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.

- (3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.
- (4) A decision made at a meeting is not to be implemented by the CEO or any other person:-
  - (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
  - (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.
- (5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:-
  - (a) is to take effect only in accordance with this clause; and
  - (b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

## Part 16 - Suspension of Local Laws

### 16.1 Suspension of Local Laws

- (1) A Member may at any time move that the operation of one or more of the provisions of this Local Law be suspended.
- (2) A Member moving a motion under clause 16.1(1) is to state the reasons for the motion but no other discussion is to take place.
- (3) A motion under clause 16.1(1) which is:-
  - (a) seconded; and
  - (b) carried by an absolute majority,
 is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.
- ~~(4) The decision of the Presiding Member under clause 16.1(1) is final, except where a motion is moved and carried under clause 10.12.~~

### ~~16.2 When this Local Law does not apply~~

- ~~(1) In situations where-~~
  - ~~(a) this Local Law has been suspended; or~~
  - ~~(b) a matter is not regulated by the Act, the Regulations or this Local Law,~~~~the Presiding Member is to decide questions relating to the conduct of the meeting.~~
- ~~(2) The decision of the Presiding Member under clause 16.2(1) is final, except where a motion of dissent is moved and carried under clause 10.1(g).~~

## Part 17 - Miscellaneous

### 17.1 Representation on public bodies

When the Council is required to appoint or nominate a member/person to a public body, written notice of the vacancy or need for the appointment or nomination is to be given to all Members and the Council is by resolution to determine the appointment or nomination.

### 17.2 Improper use of information

The improper use of information is dealt with in the Act.

### 17.3 Application to committees

(1) Unless otherwise provided in this ~~Local Law~~, the provisions of this ~~Local Law~~ are to apply to meetings of committees with the exception of:-

- (a) clause 7.1 (seating); and
- (b) clause 7.9 (speaking twice).

(2) Notwithstanding clause 17.3(1), there is to be no public question time in meetings of committees other than a committee to which the Council has delegated a power or duty under section 5.17 of the Act.

### 17.4 Cases not provided for in this ~~Local Law~~

Where there is no provision or insufficient provision is made in this ~~Local Law~~, the Presiding Member is to determine the procedure to be observed.

## Part 18 - Enforcement

### 18.1 Enforcement

The right to prosecute for any offence committed under this ~~Local Law~~ is dealt with in the Act.

Dated: **[INSERT DATE]**

The Common Seal of the Mindarie Regional Council was affixed by the authority of a resolution of Council in the presence of:-

---

DAVID BOOTHMAN  
Chairperson

---

GÜNTHER HOPPE  
Chief Executive Officer

## SCHEDULE 1

### PETITION TO THE MINDARIE REGIONAL COUNCIL

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[cl.6.10(2)(a)]

To the Chair and Members of the Mindarie Regional Council

We, the undersigned, all being electors of the Member Councils (ie, City of Joondalup, City of Perth, City of Stirling, City of Vincent, City of Wanneroo, Town of Cambridge and the Town of Victoria Park) of the Mindarie Regional Council do respectfully request that the Council -

***[Here set out a concise statement of facts and the action sought]***

*Example:*

*Investigate the possibility of alternate uses for the methane gas generated by landfill operations at Tamala Park waste facility.)*

Correspondence in respect of this petition should be addressed to -

***[Here set out the name and address of the person to whom the petition is directed]***

*Example:*

*Chief Executive Officer  
Mindarie Regional Council  
P O Box 2746  
Clarkson  
WA 6030*

The names and addresses of your petitioners are as follows -

Date	Full Name	Address	Signature	Opinion
<i>Example</i>				
24.09.2020	John Smith	87 Pederick Street, Wanneroo, WA 6030		Agree/Disagree/ no Opinion

*Note - Petitioners may contact the CEO of the Mindarie Regional Council if they wish to withdraw from this petition or change their comment.*

*Please refer to clause 6.10 of the Mindarie Regional Council Meeting Procedures  
Local Law 2020 for more information on lodging a Petition*