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APPENDICES

Ordinary Council Meeting – 24 September 2020

Financial Statements for the period ended 31 May 2020

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APPENDIX 1

Item
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MANAGEMENT FINANCIAL STATEMENTS

**FOR THE MONTH ENDED
31 May 2020**

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

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue from Ordinary Activities							
Member User Charges							
User Charges - City of Perth	2,665,000	2,665,319	2,451,067	2,347,193			
User Charges - City of Wanneroo	13,612,000	12,405,387	11,430,762	12,198,058			
User Charges - City of Joondalup	7,312,145	6,478,221	5,893,615	6,131,574			
User Charges - City of Stirling	12,879,125	9,768,866	8,737,578	9,005,491			
User Charges - Town of Cambridge	1,210,525	1,210,525	1,112,226	1,087,188			
User Charges - City of Vincent	2,747,000	2,747,000	2,529,765	2,445,049			
User Charges - Town of Victoria Park	2,511,250	2,470,250	2,280,782	2,197,894			
User Charges - RRF Residues	10,482,675	12,122,676	11,212,375	11,076,679			
	53,419,720	49,868,244	45,648,170	46,489,127	840,957	1.84%	
Non Member User Charges							
User Charges - Casual Tipping Fees	3,044,976	2,772,277	2,545,364	2,428,303	(117,061)	(4.60%)	
	3,044,976	2,772,277	2,545,364	2,428,303	(117,061)	(4.60%)	
Total User Charges	56,464,696	52,640,521	48,193,534	48,917,430	723,896	1.50%	1
Other Charges							
Service Charges							
Sale of Recyclable Materials	806,129	766,692	716,793	569,898	(146,895)	(20.49%)	
Gas Power Generation Sales	1,130,000	1,130,000	1,015,346	1,015,346	-	0.00%	
Grants and Subsidies	-	-	-	-	-		
Contributions, Reimbursements & Donations	16,660	16,660	16,660	26,198	9,538	57.25%	
Interest Earnings	618,250	618,250	566,730	463,204	(103,526)	(18.27%)	
Other Revenue	499,274	531,038	500,141	553,522	53,381	10.67%	
Total Other Charges	3,070,313	3,062,640	2,815,670	2,628,169	(187,501)	(6.66%)	2
Total Revenue from Ordinary Activities	59,535,009	55,703,161	51,009,204	51,545,599	536,395	1.05%	
Expenses from Ordinary Activities							
Employee Costs	5,456,708	5,707,342	5,014,564	4,978,322	36,242	0.72%	
Materials and Contracts							
Consultants and Contract Labour	806,880	862,182	470,132	471,212	(1,080)	(0.23%)	
Communications and Public Consultation	654,500	654,500	325,960	327,833	(1,873)	(0.57%)	
Landfill Expenses	1,702,870	1,850,793	1,160,893	1,188,755	(27,862)	(2.40%)	
Office Expenses	319,601	304,176	211,257	197,218	14,039	6.65%	
Information System Expenses	189,930	204,913	154,856	120,070	34,786	22.46%	
Building Maintenance	168,400	182,486	81,178	80,630	548	0.68%	
Plant and Equipment Operating & Hire	874,790	1,018,517	678,234	661,131	17,103	2.52%	
RRF Other Operating Expenses	30,323,475	30,501,638	28,022,181	28,643,077	(620,896)	(2.22%)	3
WMRC	-	-	-	-	-		
Utilities	321,379	292,232	263,515	224,336	39,179	14.87%	
Depreciation	1,701,725	2,397,432	2,215,025	2,220,890	(5,865)	(0.26%)	
Borrowing Costs	48,716	48,716	45,012	42,589	2,423	5.38%	
Insurances	278,200	217,652	186,159	192,764	(6,605)	(3.55%)	
DEP Landfill Levy	11,037,130	9,750,500	8,932,938	9,066,558	(133,620)	(1.50%)	4
Land Lease/Rental	795,557	795,557	728,604	664,425	64,179	8.81%	
Other Expenditure							
Members Costs	250,413	250,413	85,067	80,504	4,563	5.36%	
Administration Expenses	179,500	185,500	81,699	90,174	(8,475)	(10.37%)	
Amortisation for Cell Development	1,278,520	1,106,061	1,011,360	1,050,257	(38,897)	(3.85%)	
Amortisation for Decommissioning Asset	545,191	545,191	499,758	499,758	-	0.00%	
Capping Accretion Expense	248,010	248,010	227,342	227,342	-	0.00%	
Post Closure Accretion Expense	157,761	157,761	144,614	144,614	-	0.00%	
RRF Amortisation	462,791	462,791	424,225	424,225	-	0.00%	
Total Expenses	57,802,047	57,744,363	50,964,573	51,596,683	(632,110)	(1.24%)	
Profit on Sale of Assets	247,716	257,260	257,260	283,953	26,693	10.38%	
Loss on Sale of Assets	129,271	118,380	118,380	118,380	-	0.00%	
Revaluation of Assets	-	-	-	-	-		
	118,445	138,880	138,880	165,573	26,693	19.22%	
Changes in Net Assets Resulting from Operations	1,851,407	(1,902,322)	183,511	114,488	(69,023)	(37.61%)	

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 \$724k relating to more than budgeted member council waste \$841k relates mainly to the City of Wanneroo. Non-member waste is \$117k below budget as trade customers find alternative options for waste disposal.</p> <p>The Member Councils delivered more processable tonnes (13,131t) and less non processable tonnes (8,394t) than budget year to date. The largest of these waste streams relating to the City of Stirling within both streams abated by City of Wanneroo in the non processable stream delivering more recycables year to date than budgeted.</p> <p>RRF residues have delivered less than anticipated (664t) year to date.</p>
2	Other Revenue	Other Revenue is \$188k below budget mainly due to lower than anticipated interest rates in term deposits and no recyclable sales due to the closure of the reuse shop from 22 March 2020 because of the COVID-19 pandemic.
3	RRF Other Operating Expenses	RRF Other Operating Expenses is \$621k above budget due to the average waste diversion rate being lower year to date than forecast.
4	DWER Landfill Levy	DWER Landfill Levy is \$134k above budget due to 2,075 tonnes more levied waste being delivered against phased budget.

Mindarie Regional Council
OPERATING STATEMENT
For the month ended 31 May 2020

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Remaining Bal of Budget	% Balance	Note
Resource Recovery Facility						
Operating Expenditure						
Employee Costs						
Salaries	-	-	-	-		
Allowances	-	-	-	-		
Workers Compensation Premium	-	-	-	-		
	-	-	-	-		
Consultants and Contract Labour						
Consultancy	10,000	2,663	2,663	7,337	73.37%	
	10,000	2,663	2,663	7,337	73.37%	
Office Expenses						
Cleaning of Buildings						
General cleaning (Enviro Care)	12,000	11,000	3,273	8,727	72.72%	
Window cleaning	-	-	-	-		
	12,000	11,000	3,273	8,727	72.72%	
Information System Expenses						
Computer System Maintenance						
ICT contractors costs	2,000	-	-	2,000	100.00%	
Newcastle Weighing Services-Gen Maintenance	12,000	11,000	9,556	2,444	20.36%	
Vertical Telecom P/L-Maint of Microwave Ant	6,000	5,500	4,886	1,114	18.57%	
	20,000	16,500	14,442	5,558	27.79%	
Building Maintenance						
Building Maintenance						
Airconditioning Maintenance	3,000	200	200	2,800	93.33%	
Septic system maintenance	4,000	-	-	4,000	100.00%	
Community Education Centre	3,000	294	504	2,496	83.20%	
Weighbridge and Calibration	7,500	2,914	2,914	4,586	61.15%	
Building Security						
Security - Monitoring	-	86	86	(0)	(0.30%)	
	17,500	3,494	3,704	13,882	78.94%	
RRF Operation Expenses						
Fencing and Gate Maintenance						
Fencing and Gate Maintenance	9,000	252	252	8,748	97.20%	
Repair of Boom Gate	1,000	-	-	1,000	100.00%	
Access control infrastructure maintenance	3,000	112	112	2,888	96.28%	
Road Maintenance	5,000	-	-	5,000	100.00%	
Bores and Pipework						
Bore maint/calibration/electronics	4,500	3,306	3,306	1,194	26.52%	
Groundwater sampling	4,000	-	-	4,000	100.00%	
Bacteria sampling	1,000	1,763	1,763	1,000	36.20%	
Vermin control	500	-	-	500	100.00%	
Spills/leaks/incident management	500	-	-	500	100.00%	
Landscaping and Gardens	5,000	2,849	2,849	2,151	43.02%	
Compost Disposal	461,475	313,492	313,492	147,983	32.07%	
Contractor's Fees	29,578,500	27,700,407	28,321,304	1,433,596	4.82%	
RRF Maintenance Funding	250,000	-	-	250,000	100.00%	
	30,323,475	28,022,181	28,643,077	1,858,561	6.09%	
Utilities						
Electricity	15,800	5,516	4,620	11,180	70.76%	
Rates	114,339	92,557	90,904	8,264	8.33%	
	130,139	98,073	95,524	19,444	16.91%	
Insurance						
Municipal Property Insurance	3,800	3,483	3,750	50	1.30%	
Public Liability Insurance	5,650	5,179	5,111	539	9.54%	
	9,450	8,662	8,861	589	6.23%	
Cost of Borrowings						
Interest on Loans						
Loan 10A	48,716	45,012	42,589	6,127	12.58%	
Loan Expenses	-	-	-	-		
	48,716	45,012	42,589	6,127	12.58%	
Amortisations						
Amortisation Pre-operating Costs	104,784	96,052	96,052	8,732	8.33%	
Amortisation Costs	358,007	328,173	328,173	29,834	8.33%	
	462,791	424,225	424,225	38,566	8.33%	
Depreciation						
Depreciation on Building	25,123	34,421	33,472	3,043	8.33%	
Depreciation on Infrastructure	34,871	40,277	39,585	3,598	8.33%	
	59,994	74,698	73,057	6,641	8.33%	
Total Operating Expenditure	31,094,065	28,706,508	29,311,415	1,961,833	6.27%	
Net Total	(31,094,065)	(28,706,508)	(29,311,415)	(1,961,833)	6.27%	

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

Description	Adopted Budget	YTD Budget	YTD Actual	\$ Variance	% Variance
Revenues from Ordinary Activities					
Operating Revenues					
General Purpose Funding	59,535,009	51,009,204	51,545,598	536,394	1.05%
Community Amenities	-	-	-	-	
Resource Recovery Facility	-	-	-	-	
	59,535,009	51,009,204	51,545,598	536,394	1.05%
Profit on Disposal of Assets					
Governance	-	-	-	-	
Community Amenities	247,716	257,260	283,953	26,693	10.38%
Resource Recovery Facility	-	-	-	-	
	247,716	257,260	283,953	26,693	
Total Revenue	59,782,725	51,266,464	51,829,551	563,087	1.10%
Expenses from Ordinary Activities					
Operating Expenditure					
Governance	4,176,961	3,513,429	3,388,527	124,902	3.55%
Community Amenities	22,531,021	18,744,636	18,896,741	(152,105)	(0.81%)
Resource Recovery Facility	31,045,349	28,661,496	29,268,826	(607,330)	(2.12%)
	57,753,331	50,919,561	51,554,094	(634,533)	(1.25%)
Loss on Sale of Assets					
Governance	-	-	-	-	
Community Amenities	129,271	118,380	118,380	(0)	(0.00%)
Resource Recovery Facility	-	-	-	-	
	129,271	118,380	118,380	(0)	
Cost of Borrowings					
Governance	-	-	-	-	
Community Amenities	-	-	-	-	
Resource Recovery Facility	48,716	45,012	42,589	2,423	5.38%
	48,716	45,012	42,589	2,423	5.38%
Total Expenditure	57,931,318	51,082,953	51,715,063	(632,110)	(1.24%)
Revaluation of Assets	-	-	-	-	
Changes in Net Assets Resulting from Operations	1,851,407	183,511	114,488	(69,023)	(37.61%)

Mindarie Regional Council

Balance Sheet

For the month ended 31 May 2020

Description	ACTUAL 2019/2020	Movement	ACTUAL 2018/2019
CURRENT ASSETS			
Cash and cash equivalents	35,396,117	3,247,901	32,148,215
Debtors and other receivables	4,282,486	(671,409)	4,953,895
Inventories	8,272	(4,695)	12,967
Other Current Assets	316,213	(225,931)	542,144
TOTAL CURRENT ASSETS	40,003,088	2,345,865	37,657,223
NON-CURRENT ASSETS			
Property, plant and equipment	14,743,680	(2,548,437)	17,292,117
Work in progress - property, plant and equipment	195,755	195,755	-
Infrastructure	6,225,098	(431,097)	6,656,195
Work in progress - Infrastructure	308,757	303,408	5,349
Excavation work	24,700,112	(1,050,257)	25,750,369
Resource recovery facility	4,136,401	(424,225)	4,560,626
Rehabilitation asset	4,406,936	(499,758)	4,906,694
Work in progress - Rehabilitation	71,180	71,180	-
TOTAL NON-CURRENT ASSETS	54,787,920	(4,383,431)	59,171,351
TOTAL ASSETS	94,791,008	(2,037,566)	96,828,573
CURRENT LIABILITIES			
Trade and other payables	5,502,494	(1,255,948)	6,758,442
Provisions	1,009,893	(1,899)	1,011,792
Borrowings	-	(127,163)	127,163
TOTAL CURRENT LIABILITIES	6,512,387	(1,385,010)	7,897,397
NON CURRENT LIABILITIES			
Provisions for Leave	124,372	85,407	38,965
Non Current Loans	-	(727,915)	727,915
Decommission Provision for Capping	16,716,900	371,956	16,344,944
Other Non Current Liabilities	-	(39,983)	39,983
TOTAL NON CURRENT LIABILITIES	16,841,272	(310,535)	17,151,807
TOTAL LIABILITIES	23,353,659	(1,695,545)	25,049,204
NET ASSETS	71,437,349	(342,021)	71,779,370
EQUITY			
Retained Surplus	12,326,066	(1,026,646)	13,352,712
Reserves (Cash Back)	23,094,634	1,141,135	21,953,499
Reserves (Non Cash Back)	31,930,923	(456,509)	32,387,432
Council Contribution	4,085,726	-	4,085,726
TOTAL EQUITY	71,437,349	(342,021)	71,779,370

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

Description	ACTUAL 2018/2019
Opening Balance - 1 July 2019	
Site Rehabilitation	13,082,944
Capital Expenditure	5,731,955
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	647,524
Carbon Abatement	491,076
	21,953,499
Interest on Investments	
Site Rehabilitation	-
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	-
Carbon Abatement	-
Transfer from Operating Surplus	
Site Rehabilitation	1,671,957
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	229,166
Carbon Abatement	-
	1,901,123
Total Transfer from Operations	1,901,123
Transfer from Balance Sheet Provisions	
Site Rehabilitation	-
	-
Transfer to Operating Surplus	
Site Rehabilitation	-
Capital Expenditure	759,988
RRF Maintenance Funding	-
Carbon Abatement	-
	759,988
Closing Balance	
Site Rehabilitation	14,754,901
Capital Expenditure	4,971,967
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	876,690
Carbon Abatement	491,076
	23,094,634

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

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
PLANT, VEHICLES AND MACHINERIES				
Plant and Vehicles				
Replacement of Fire Ute with Fire Fighting Pod (Plant71)	85,000	43,403	45,165	104.06%
Replacement of Kia Grand Carnival (Plant125)	47,000	47,000	-	
<i>brought forward items:</i>				
Replacement of Toyota Forklift	35,000	45,000	36,756	81.68%
	167,000	135,403	81,921	60.50%
Machinery and Equipment				
Replacement of ADC Tarps	36,000	36,000	29,127	80.91%
Replacement of Hooklift Bins	45,000	45,000	29,360	65.24%
Vehicle Borne Litter Vacuum	32,000	32,000	-	
Dinosaur Remote Water Cannon	10,000	10,000	-	
3x Hooklift Bin System Modification	60,000	60,000	10,400	
1x Odour Irrigation - Landfill (Mobile) with Motor	16,476	16,476	-	
Hooklift Tynes for Loader	50,000	50,000	-	
<i>brought forward items:</i>				
Purchase and install 2x Cardboard Compactors	102,000	102,000	16,426	
	351,476	351,476	85,313	24.27%
TOTAL PLANT, VEHICLES AND MACHINERIES	518,476	486,879	167,234	32.26%
FURNITURE AND EQUIPMENT				
Furniture and Fittings				
Replacement of Airconditioning Units	67,600	67,600	-	
	67,600	67,600	-	0.00%
TOTAL FURNITURE AND EQUIPMENT	67,600	67,600	-	
COMPUTING EQUIPMENT				
Computing Equipment				
Replacement of Core Switches	12,000	12,000	-	
Network Rack for UPS	8,000	8,000	-	
Navision system upgrade	70,000	150,000	-	
SAN upgrade with support package	-	46,300	-	
	90,000	216,300	-	
TOTAL COMPUTING EQUIPMENT	90,000	216,300	-	
LAND AND BUILDINGS				
Building				
Upgrade Administration Toilets	20,000	20,000	-	
Upgrade Recycling Centre Security	50,000	50,000	16,380	
<i>brought forward items:</i>				
Recycling Centre renovation and alignment phase2	160,000	130,000	152,549	
	230,000	200,000	168,929	84.46%
TOTAL LAND AND BUILDINGS	230,000	200,000	168,929	73.45%
INFRASTRUCTURE				
Operations				
Replacement of Trash Pump	5,000	-	-	
Upgrades and improvements-MRC Infrastructure	150,000	150,000	-	
Landfill Access Ramp Development	50,000	80,000	50,630	101.26%
CDS Infrastructure Footprint Preparations and Supporting Infra	70,000	70,000	-	
Western Boundary Fence Replacement	110,000	110,000	1,596	
Replacement of Gas Monitor	17,000	17,000	11,091	65.24%
Environmental Drilling for Groundwater and Gas Monitor Bores	150,000	150,000	4,440	2.96%
Replacement of 2x Airwell Pumps	22,000	22,000	-	
Irrigation upgrade around Weighbridge	10,000	10,000	5,504	55.04%
<i>brought forward items:</i>				
Leachate treatment project	347,000	347,000	134,550	38.78%
Transfer station extension	200,000	200,000	84,197	42.10%
	1,476,600	1,161,600	303,408	26.12%
Landfill Infrastructure Phase 3				
Cell Development - Lining	200,216	200,216	62,976	31.45%
Visual Barrier - North at Stage 2	20,000	20,000	8,205	41.02%
	220,216	220,216	71,180	32.32%
TOTAL INFRASTRUCTURE	1,696,816	1,381,816	374,589	22.08%

INFORMATION ON BORROWINGS

(a) Loan Schedule and Interest Expense

Actual	Value of Loan Approved	Matures	Interest Rates	Principal 01/07/2019	Principal Drawn Down to 30/06/2020	Principal Repayments	Principal Outstanding	Interest Repayments	Note
						Actual to 31/05/2020	Actual to 31/05/2020	Actual to 31/05/2020	
Community Amenities									
Regional Resource Recovery Facility									
Loan 10a - RRF Infrastructure	2,000,000	Apr-25	6.16%	855,078	-	855,078	0	42,589	
TOTAL	2,000,000			855,078	-	855,078	0	42,589	
						Facility Fee		-	
						Total Borrowing Costs		42,589	

Financial Statements for the period ended 30 June 2020

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APPENDIX 2

Item
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MANAGEMENT FINANCIAL STATEMENTS

**FOR THE MONTH ENDED
30 June 2020**

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

Description	Adopted Budget	Revised Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue from Ordinary Activities						
Member User Charges						
User Charges - City of Perth	2,665,000	2,665,319	2,541,927			
User Charges - City of Wanneroo	13,612,000	12,405,387	13,242,437			
User Charges - City of Joondalup	7,312,145	6,478,221	6,702,451			
User Charges - City of Stirling	12,879,125	9,768,866	9,853,923			
User Charges - Town of Cambridge	1,210,525	1,210,525	1,186,015			
User Charges - City of Vincent	2,747,000	2,747,000	2,670,496			
User Charges - Town of Victoria Park	2,511,250	2,470,250	2,403,659			
User Charges - RRF Residues	10,482,675	12,122,676	12,097,595			
	53,419,720	49,868,244	50,698,504	830,260	1.66%	
Non Member User Charges						
User Charges - Casual Tipping Fees	3,044,976	2,772,277	2,661,582	(110,695)	(3.99%)	
	3,044,976	2,772,277	2,661,582	(110,695)	(3.99%)	
Total User Charges	56,464,696	52,640,521	53,360,086	719,565	1.37%	1
Other Charges						
Service Charges						
Sale of Recyclable Materials	806,129	766,692	639,373	(127,319)	(16.61%)	
Gas Power Generation Sales	1,130,000	1,130,000	1,055,512	(74,488)	(6.59%)	
Grants and Subsidies	-	-	-	-		
Contributions, Reimbursements & Donations	16,660	16,660	30,343	13,683	82.13%	
Interest Earnings	618,250	618,250	492,225	(126,025)	(20.38%)	
Other Revenue	499,274	531,038	615,074	84,036	15.82%	
Total Other Charges	3,070,313	3,062,640	2,832,528	(230,112)	(7.51%)	2
Total Revenue from Ordinary Activities	59,535,009	55,703,161	56,192,614	489,453	0.88%	
Expenses from Ordinary Activities						
Employee Costs	5,456,708	5,707,342	5,469,968	237,374	4.16%	3
Materials and Contracts						
Consultants and Contract Labour	806,880	862,182	641,859	220,323	25.55%	4
Communications and Public Consultation	654,500	654,500	407,726	246,774	37.70%	5
Landfill Expenses	1,702,870	1,850,793	1,418,673	432,120	23.35%	6
Office Expenses	319,601	304,176	211,167	93,009	30.58%	
Information System Expenses	189,930	204,913	131,142	73,771	36.00%	
Building Maintenance	168,400	182,486	127,320	55,166	30.23%	
Plant and Equipment Operating & Hire	874,790	1,018,517	750,808	267,709	26.28%	7
RRF Other Operating Expenses	30,323,475	30,501,638	31,373,695	(872,057)	(2.86%)	8
WMRC	-	-	-	-		
Utilities	321,379	292,232	242,374	49,858	17.06%	
Depreciation	1,701,725	2,397,432	2,373,097	24,335	1.02%	
Depreciation - Right of Use Asset	-	-	547,488	(547,488)		9
Finance Costs	48,716	48,716	362,869	(314,153)	(644.87%)	9
Insurances	278,200	217,652	210,186	7,466	3.43%	
DEP Landfill Levy	11,037,130	9,750,500	9,846,997	(96,497)	(0.99%)	
Land Lease/Rental	795,557	795,557	-	795,557	100.00%	9
Other Expenditure						
Members Costs	250,413	250,413	162,970	87,443	34.92%	
Administration Expenses	179,500	185,500	133,908	51,592	27.81%	
Amortisation for Cell Development	1,278,520	1,106,061	1,140,661	(34,600)	(3.13%)	
Amortisation for Decommissioning Asset	545,191	545,191	545,191	-	0.00%	
Capping Accretion Expense	248,010	248,010	248,010	-	0.00%	
Post Closure Accretion Expense	157,761	157,761	157,761	-	0.00%	
RRF Amortisation	462,791	462,791	462,790	1	0.00%	
Total Expenses	57,802,047	57,744,363	56,966,662	777,702	1.35%	
Profit on Sale of Assets	247,716	257,260	59,331	(197,929)	(76.94%)	
Loss on Sale of Assets	129,271	118,380	350,266	(231,886)	195.88%	
Revaluation of Assets	-	-	-	-		
	118,445	138,880	(290,935)	(429,815)	(309.49%)	
Changes in Net Assets Resulting from Operations	1,851,407	(1,902,322)	(1,064,983)	837,339	(44.02%)	

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 are above budget \$720k relating directly to more than budgeted member council waste being delivered. \$830k relates mainly to the City of Wanneroo. Non-member waste is \$110k below budget as trade customers find alternative options for waste disposal.</p> <p>The Member Councils have delivered more processable tonnes (13,765t) and less non processable tonnes (9,623t) than budget for the financial year 2019/2020. Overall the member councils have delivered (4,019t) more tonnes than budgeted for the year.</p> <p>RRF residues delivered marginally less than anticipated (122t) for the year ended June 2020.</p>
2	Other Charges	Other Revenue is \$230k below budget mainly due to lower than anticipated interest rates in term deposits, lower sales of gas power generation certificate for the year ended June 2020 and less recyclable sales due to the closure of the reuse shop from 22 March 2020 to 16 June 2020 because of the COVID-19 pandemic.
3	Employee Costs	Employee costs are \$237k below budget mainly due to savings in staff conferences, recruitment and continued cost saving efficiencies adopted throughout the year.
4	Consultant and Contract Labour	Consultants and contract labour is \$220k below budget mainly due to the capping of the western batter and piggy back liner developments being pushed forward as investigations continue.
5	Communications and Public Consultation	Communication and Public Consultation is \$247k below budget due to the impact of COVID-19 on scheduled events.
6	Landfill Expenses	Landfill Expenses is \$432k below budget mainly due to the majority of Mandatory Audit Report (MAR) now being scheduled to occur in the next financial year.
7	Plant and Equipment Operating & Hire	Plant and Equipment Operating and Hire is \$268k below budget due to savings in repair and maintenance and tyres and tubes due to asset replacements being still under warranty.
8	RRF Other Operating Expenses	RRF Other Operating Expenses is \$872k above budget due to the impact of the average waste diversion rate being lower year to date than forecast and additional tonnages being pushed through the facility in year.
9	Depreciation Right of Use Asset, Borrowing Cost and Land Lease	Depreciation Right of Use Asset and Borrowing Costs are above budget and are slightly offset by Land lease/rental due to changes in Australian Accounting Standard Board (AASB16) which governs that all leases should be treated as Right of Use Assets and will depreciate and incur finance costs throughout, until the end of lease.

Mindarie Regional Council
OPERATING STATEMENT
For the month ended 30 June 2020

Description	Adopted Budget	YTD Actual	\$ Remaining Bal of Budget	% Balance
Resource Recovery Facility				
Operating Expenditure				
Employee Costs				
Salaries	-	-	-	
Allowances	-	-	-	
Workers Compensation Premium	-	-	-	
	-	-	-	
Consultants and Contract Labour				
Consultancy	10,000	2,663	7,337	73.37%
	10,000	2,663	7,337	73.37%
Office Expenses				
Cleaning of Buildings				
General cleaning (Enviro Care)	12,000	3,484	8,516	70.97%
Window cleaning	-	-	-	
	12,000	3,484	8,516	70.97%
Information System Expenses				
Computer System Maintenance				
ICT contractors costs	2,000	-	2,000	100.00%
Newcastle Weighing Services-Gen Maintenance	12,000	10,425	1,575	13.13%
Vertical Telecom P/L-Maint of Microwave Ant	6,000	5,374	626	10.44%
	20,000	15,799	4,201	21.01%
Building Maintenance				
Building Maintenance				
Airconditioning Maintenance	3,000	200	2,800	93.33%
Septic system maintenance	4,000	-	4,000	100.00%
Community Education Centre	3,000	504	2,496	83.20%
Weighbridge and Calibration	7,500	2,914	4,586	61.15%
Building Security				
Security - Monitoring	-	86	(0)	(0.30%)
	17,500	3,704	13,882	78.94%
RRF Operation Expenses				
Fencing and Gate Maintenance				
Fencing and Gate Maintenance	9,000	252	8,748	97.20%
Repair of Boom Gate	1,000	-	1,000	100.00%
Access control infrastructure maintenance	3,000	112	2,888	96.28%
Road Maintenance	5,000	-	5,000	100.00%
Bores and Pipework				
Bore maint/calibration/electronics	4,500	3,476	1,024	22.75%
Groundwater sampling	4,000	2,896	1,104	27.60%
Bacteria sampling	1,000	1,763	1,000	36.20%
Vermine control	500	-	500	100.00%
Spills/leaks/incident management	500	-	500	100.00%
Landscaping and Gardens	5,000	3,299	1,701	34.02%
Compost Disposal	461,475	348,182	113,293	24.55%
Contractor's Fees	29,578,500	31,013,715	(1,258,815)	(4.23%)
RRF Maintenance Funding	250,000	-	250,000	100.00%
	30,323,475	31,373,694	(872,056)	(2.86%)
Utilities				
Electricity	15,800	5,040	10,760	68.10%
Rates	114,339	99,168	(0)	(0.00%)
	130,139	104,208	10,760	9.36%
Insurance				
Municipal Property Insurance	3,800	4,091	(291)	(7.67%)
Public Liability Insurance	5,650	5,576	74	1.32%
	9,450	9,667	(217)	(2.30%)
Cost of Borrowings				
Interest on Loans				
Loan 10A	48,716	42,589	6,127	12.58%
Loan Expenses	-	-	-	
	48,716	42,589	6,127	12.58%
Amortisations				
Amortisation Pre-operating Costs	104,784	104,784	-	0.00%
Amortisation Costs	358,007	358,006	1	0.00%
	462,791	462,790	1	0.00%
Depreciation				
Depreciation on Building	25,123	36,515	(0)	(0.00%)
Depreciation on Infrastructure	34,871	43,183	(0)	(0.00%)
	59,994	79,699	(1)	(0.00%)
Total Operating Expenditure	31,094,065	32,098,297	(821,449)	(2.63%)
Net Total	(31,094,065)	(32,098,297)	821,449	(2.63%)

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

Description	Adopted Budget	YTD Actual	\$ Variance	% Variance
Revenues from Ordinary Activities				
Operating Revenues				
General Purpose Funding	59,535,009	56,192,614	489,453	0.88%
Community Amenities	-	-	-	
Resource Recovery Facility	-	-	-	
	59,535,009	56,192,614	489,453	0.88%
Profit on Disposal of Assets				
Governance	-	-	-	
Community Amenities	247,716	59,331	(197,929)	(76.94%)
Resource Recovery Facility	-	-	-	
	247,716	59,331	(197,929)	
Total Revenue	59,782,725	56,251,945	291,524	0.52%
Expenses from Ordinary Activities				
Operating Expenditure				
Governance	4,176,961	3,549,175	691,115	16.30%
Community Amenities	22,531,021	20,998,909	1,228,317	5.53%
Resource Recovery Facility	31,045,349	32,055,708	(827,577)	(2.65%)
	57,753,331	56,603,792	1,091,855	1.89%
Loss on Sale of Assets				
Governance	-	-	-	
Community Amenities	129,271	350,266	(231,886)	(195.88%)
Resource Recovery Facility	-	-	-	
	129,271	350,266	(231,886)	
Cost of Borrowings				
Governance	-	320,280	(320,280)	
Community Amenities	-	-	-	
Resource Recovery Facility	48,716	42,589	6,127	12.58%
	48,716	362,869	(314,153)	(644.87%)
Total Expenditure	57,931,318	57,316,927	545,816	0.94%
Revaluation of Assets	-	-	-	
Changes in Net Assets Resulting from Operations	1,851,407	(1,064,983)	837,339	(44.02%)

Mindarie Regional Council
Balance Sheet
For the month ended 30 June 2020

Description	ACTUAL 2019/2020	Movement	ACTUAL 2018/2019
CURRENT ASSETS			
Cash and cash equivalents	36,150,947	4,002,731	32,148,215
Debtors and other receivables	4,516,079	(437,817)	4,953,895
Inventories	13,290	322	12,967
Other Current Assets	386,294	(155,850)	542,144
TOTAL CURRENT ASSETS	41,066,609	3,409,386	37,657,223
NON-CURRENT ASSETS			
Property, plant and equipment	14,948,369	(2,343,748)	17,292,117
Work in progress - property, plant and equipment	-	-	-
Right of Use Asset	6,569,854	6,569,854	-
Infrastructure	6,880,537	224,342	6,656,195
Work in progress - Infrastructure	-	(5,349)	5,349
Excavation work	24,609,707	(1,140,661)	25,750,369
Resource recovery facility	4,097,836	(462,790)	4,560,626
Rehabilitation asset	4,361,503	(545,191)	4,906,694
Work in progress - Rehabilitation	-	-	-
TOTAL NON-CURRENT ASSETS	61,467,807	2,296,456	59,171,351
TOTAL ASSETS	102,534,416	5,705,842	96,828,573
CURRENT LIABILITIES			
Trade and other payables	7,290,414	531,973	6,758,442
Provisions	1,033,749	21,957	1,011,792
Borrowings	-	(127,163)	127,163
Right of Use Asset - Leases	430,708	430,708	-
TOTAL CURRENT LIABILITIES	8,754,871	857,475	7,897,397
NON CURRENT LIABILITIES			
Provisions for Leave	35,932	(3,033)	38,965
Non Current Loans	-	(727,915)	727,915
Decommission Provision for Capping	16,750,715	405,771	16,344,944
Right of Use Asset - Leases	6,278,510	6,238,527	39,983
TOTAL NON CURRENT LIABILITIES	23,065,157	5,913,350	17,151,807
TOTAL LIABILITIES	31,820,029	6,770,825	25,049,204
NET ASSETS	70,714,387	(1,064,983)	71,779,370
EQUITY			
Retained Surplus	12,065,111	(1,287,601)	13,352,712
Reserves (Cash Back)	22,712,639	759,140	21,953,499
Reserves (Non Cash Back)	31,850,910	(536,522)	32,387,432
Council Contribution	4,085,726	-	4,085,726
TOTAL EQUITY	70,714,387	(1,064,983)	71,779,370

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

Description	ACTUAL 2018/2019
Opening Balance - 1 July 2019	
Site Rehabilitation	13,082,944
Capital Expenditure	5,731,955
Participants Surplus Reserve	2,000,000
RRF Maintenance Funding	647,524
Carbon Abatement	491,076
	21,953,499
Interest on Investments	
Site Rehabilitation	-
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	-
Carbon Abatement	-
Transfer from Operating Surplus	
Site Rehabilitation	1,705,771
Capital Expenditure	-
Participants Surplus Reserve	-
RRF Maintenance Funding	250,000
Carbon Abatement	-
	1,955,771
Total Transfer from Operations	1,955,771
Transfer from Balance Sheet Provisions	
Site Rehabilitation	-
	-
Transfer to Operating Surplus	
Site Rehabilitation	-
Capital Expenditure	1,196,631
RRF Maintenance Funding	-
Carbon Abatement	-
	1,196,631
Closing Balance	
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
	22,712,639

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

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
PLANT, VEHICLES AND MACHINERIES				
Plant and Vehicles				
Replacement of Fire Ute with Fire Fighting Pod (Plant71)	85,000	43,403	45,165	104.06%
Replacement of Kia Grand Carnival (Plant125)	47,000	47,000	-	
<i>brought forward items:</i>				
Replacement of Toyota Forklift	35,000	45,000	36,756	81.68%
	167,000	135,403	81,921	60.50%
Machinery and Equipment				
Replacement of ADC Tarps	36,000	36,000	29,127	80.91%
Replacement of Hooklift Bins	45,000	45,000	29,360	65.24%
Vehicle Borne Litter Vacuum	32,000	32,000	-	
Dinosaur Remote Water Cannon	10,000	10,000	-	
3x Hooklift Bin System Modification	60,000	60,000	20,800	
1x Odour Irrigation - Landfill (Mobile) with Motor	16,476	16,476	-	
Hooklift Tynes for Loader	50,000	50,000	-	
<i>brought forward items:</i>				
Purchase and install 2x Cardboard Compactors	102,000	102,000	21,918	
	351,476	351,476	101,205	28.79%
TOTAL PLANT, VEHICLES AND MACHINERIES	518,476	486,879	183,126	35.32%
FURNITURE AND EQUIPMENT				
Furniture and Fittings				
Replacement of Airconditioning Units	67,600	67,600	-	
	67,600	67,600	-	0.00%
TOTAL FURNITURE AND EQUIPMENT	67,600	67,600	-	
COMPUTING EQUIPMENT				
Computing Equipment				
Replacement of Core Switches	12,000	12,000	12,023	100.19%
Network Rack for UPS	8,000	8,000	7,264	90.80%
Navision system upgrade	70,000	150,000	-	
SAN upgrade with support package	-	46,300	47,498	102.59%
	90,000	216,300	66,784	30.88%
TOTAL COMPUTING EQUIPMENT	90,000	216,300	66,784	30.88%
LAND AND BUILDINGS				
Building				
Upgrade Administration Toilets	20,000	20,000	-	
Upgrade Recycling Centre Security	50,000	50,000	58,820	
<i>brought forward items:</i>				
Recycling Centre renovation and alignment phase2	160,000	130,000	147,706	
	230,000	200,000	206,526	103.26%
TOTAL LAND AND BUILDINGS	230,000	200,000	206,526	89.79%
INFRASTRUCTURE				
Operations				
Replacement of Trash Pump	5,000	-	-	
Upgrades and improvements-MRC Infrastructure	150,000	150,000	-	
Landfill Access Ramp Development	50,000	80,000	78,785	157.57%
CDS Infrastructure Footprint Preparations and Supporting Infra	70,000	70,000	-	
Western Boundary Fence Replacement	110,000	110,000	50,732	
Replacement of Gas Monitor	17,000	17,000	11,091	65.24%
Environmental Drilling for Groundwater and Gas Monitor Bores	150,000	150,000	65,308	43.54%
Replacement of 2x Airwell Pumps	22,000	22,000	7,769	35.31%
Irrigation upgrade around Weighbridge	10,000	10,000	5,916	59.16%
<i>brought forward items:</i>				
Leachate treatment project	347,000	347,000	190,255	54.83%
Transfer station extension	200,000	200,000	146,717	73.36%
	1,476,600	1,161,600	567,973	48.90%
Landfill Infrastructure Phase 3				
Cell Development - Lining	200,216	200,216	105,876	52.88%
Visual Barrier - North at Stage 2	20,000	20,000	17,109	85.54%
	220,216	220,216	122,984	55.85%
TOTAL INFRASTRUCTURE	1,696,816	1,381,816	690,957	40.72%

INFORMATION ON BORROWINGS

(a) Loan Schedule and Interest Expense

Actual	Value of Loan Approved	Matures	Interest Rates	Principal 01/07/2019	Principal Drawn Down to 30/06/2020	Principal Repayments	Principal Outstanding	Interest Repayments	Note
						Actual to 30/06/2020	Actual to 30/06/2020	Actual to 30/06/2020	
Community Amenities									
Regional Resource Recovery Facility									
Loan 10a - RRF Infrastructure	2,000,000	Apr-25	6.16%	855,078	-	855,078	0	42,589	
TOTAL	2,000,000			855,078	-	855,078	0	42,589	
						Facility Fee		-	
						Total Borrowing Costs		42,589	

Tonnage Report to 30 June 2020

Item 9.1	APPENDIX 3	Item 9.1
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Information relating to landfill, resource recovery & recycling tonnages year to date 2019/20

Month: Jun-20

TONNAGE								
RRF Actual	Landfill Actual	Total Tonnage	Mid Year Adopted Budget 2019/20	Variance YTD	Target % Year to Date	Note	Actual % Year to Date	Year to date Tonnage previous year

MEMBERS

Processable									
Cambridge	794	4,966	5,760	5,850	(90)	100.0%	1	98.5%	5,597
Joondalup	9,396	22,689	32,085	31,000	1,085	100.0%		103.5%	43,239
Perth	7	12,389	12,396	13,000	(604)	100.0%		95.4%	13,234
Stirling	18,163	23,840	42,003	27,374	14,629	100.0%		153.4%	40,348
Victoria Park	10,511	1,213	11,724	12,000	(276)	100.0%		97.7%	11,553
Vincent	10,805	786	11,592	12,000	(408)	100.0%		96.6%	11,349
Wanneroo	55,767	3,162	58,929	59,500	(571)	100.0%		99.0%	56,551
Sub Total Processable	105,443	69,046	174,489	160,724	13,765	100.0%		108.6%	181,871
Non-Processable									
Cambridge		26	26	55	(30)	100.0%	1	46.4%	44
Joondalup		607	607	600	7	100.0%		101.2%	786
Perth		4	4	1	-	100.0%		0.0%	5
Stirling		6,065	6,065	20,279	(14,214)	100.0%		29.9%	13,474
Victoria Park		1	1	50	(49)	100.0%		2.0%	56
Vincent		1,435	1,435	1,400	35	100.0%		102.5%	1,403
Wanneroo		5,624	5,624	1,000	4,624	100.0%		562.4%	6,807
Sub Total Non-Processable	-	13,762	13,762	23,385	(9,623)	100.0%		58.8%	22,575
Other									
Sita Biovision Residues		59,013	59,013	59,135	(122)	100.0%	1	99.8%	51,425
Wanneroo WRC		-	-	-	-	-		-	-
Sub Total Other	-	59,013	59,013	59,135	(122)			99.8%	51,425
SUB TOTAL MEMBERS	105,443	141,820	247,263	243,244	4,019	1.65		101.7%	255,872

CASUALS

Trade		11,083	11,083	11,250	(167)	100.0%	1	98.5%	10,794
Cash		2,745	2,745	3,135	(390)	100.0%	1	87.6%	2,654
Sub Total Casuals	-	13,828	13,828	14,385	(557)	100.0%		96.1%	13,448
TOTAL	105,443	155,648	261,091	257,629	3,462				269,320

RECYCLING

Recycling centre sales									
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Notes 1* Based on 18/19 actual tonnages

REVENUE				
Actual G/L \$	Mid Year Adopted Budget 2019/20	Target % Year to Date	Note	Actual % Year to Date

\$ 1,180,787	1,199,250	100.0%	1	98.5%
\$ 6,577,390	6,355,001	100.0%		103.5%
\$ 2,541,207	2,665,000	100.0%		95.4%
\$ 8,610,603	5,611,669	100.0%		153.4%
\$ 2,403,456	2,460,000	100.0%		97.7%
\$ 2,376,276	2,460,000	100.0%		96.6%
\$ 12,084,775	12,198,511	100.0%		99.1%
\$ 35,774,495	\$ 32,949,431	100.0%		108.6%

\$ 5,228	11,275	100.0%	1	46.4%
\$ 125,061	123,219	100.0%		101.5%
\$ 720	319	100.0%		-
\$ 1,243,321	4,157,197	100.0%		29.9%
\$ 203	10,250	100.0%		2.0%
\$ 294,220	287,000	100.0%		102.5%
\$ 1,157,661	206,876	100.0%		559.6%
\$ 2,826,414	\$ 4,796,136	100.0%		58.9%

\$ 12,097,595	12,122,675	100.0%	1	99.8%
\$ -	-	0.0%		-
\$ 12,097,595	\$ 12,122,675			99.8%
\$ 50,698,504	\$ 49,868,242			101.7%

\$ 2,133,570	2,168,100	100.0%	1	98.4%
\$ 528,012	604,177	100.0%	1	87.4%
\$ 2,661,582	\$ 2,772,277	100.0%		96.0%
\$ 53,360,086	\$ 52,640,519			

\$ 639,322	705,555	87.5%		90.6%
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Waste to Landfill Tonnages Report for the period to 30 June 2020

Members

The Member Councils' processable waste for the financial year to date is 13,765 tonnes above budget, the largest of these being from the City of Stirling (14,629t).

The non processable waste for the year to date is 9,623 tonnes below budget primarily as a result of the City of Stirling (14,214t) delivering less than their estimated non processable tonnage.

These variances leave the MRC 1.65% above in its budgeted waste receipts from Member Councils for the financial year to date 2019/2020. Overall the Member Council waste is 4,019 tonnes above budget for the financial year ended June 2020.

RRF

The Resource Recovery Facility residue tonnes are marginally below budget (122t) for the year.

Trade & Casual

The Casual and Trade tonnages are 557 tonnes lower than budget for the financial year as trade and cash customers find alternative waste disposal solutions.

Overall for the financial year ended 30th June 2020, the tonnes received were 3,462 tonnes above budget.

List of payments made for the month ended 31 May 2020

Item 9.2	APPENDIX 4	Item 9.2
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Schedule of Payments for May 2020
Council Meeting - 24th September 2020

Cheque Posting Date	Document No.	Vendor Name	Description	Amount
19/05/2020	752	Cash	Staff Lotto	\$990.00
19/05/2020	753	Synergy	Electricity 14/02/20 - 15/04/2020	\$78.82
27/05/2020	754	Cash	Staff Lotto	\$330.00
27/05/2020	755	Water Corporation	Water - March - May 2020	\$1,164.33
28/05/2020	756	Cash - Petty Cash	Petty Cash Reimbursement	\$1,069.20
Total CBA cheques				\$3,632.35
2/05/2020	DP-01811	Commonwealth Bank	CBA Merchant Fee - April 2020	\$79.44
2/05/2020	DP-01812	Commonwealth Bank	CBA Merchant Fee - April 2020	\$1,626.97
15/05/2020	DP-01813	Commonwealth Bank	CommBiz fees - April 2020	\$40.43
15/05/2020	DP-01814	Commonwealth Bank	CommBiz fees - April 2020	\$10.00
15/05/2020	DP-01815	Commonwealth Bank	CommBiz Service fee - April 2020	\$3.30
20/05/2020	DP-01816	Australian Taxation Office	BAS April 2020	\$204,542.00
28/05/2020	DP-01817	Commonwealth Bank	MRC Credit Card	\$4,868.24
Total Direct Payments & Fees				\$211,170.38
Total Inter account Transfers				\$0.00

Posting Date	Document No.	Vendor Name	Details	EFT Amount
1/05/2020	EFT-01929	Airwell Group Pty Ltd	Week 1 30/3/2020 to 3/4/2020 (25hr)	\$2,220.63
1/05/2020	EFT-01929	Aquion P/L	PRTG Device Monitoring Lic Renewal - 4/2020-4/2021	\$1,309.00
1/05/2020	EFT-01929	Australian Services Union	Staff Union Fees	\$103.60
1/05/2020	EFT-01929	Blackwoods & Atkins	Portable grease gun for workshop	\$2,247.20
1/05/2020	EFT-01929	BOBJANE TMART	Plt129 Tyre Repairs	\$608.00
1/05/2020	EFT-01929	Central Fire Services P/L	Monthly maintenance & test Fire System	\$78.83
1/05/2020	EFT-01929	DAVID GRAY & CO P/L	1100lt bins with red lids and trunions fitted	\$2,679.11
1/05/2020	EFT-01929	DCM Services	Quarterly Air Cond Maintenance	\$704.00
1/05/2020	EFT-01929	ELO Digital Office AU/NA Pty Ltd	ELO Monthly Support - May 2020	\$935.00
1/05/2020	EFT-01929	Envirocare Systems	TP Mthly Hygiene Service - monthly billing	\$694.54
1/05/2020	EFT-01929	Envirocare Systems	RRF Mthly Hygiene Service - monthly billing	\$231.77
1/05/2020	EFT-01929	Envirocare Systems	5lt Hand Sanitiser and 12 Jumbo T/Rolls	\$327.80
1/05/2020	EFT-01929	Gutters Supa Kleen	Cleaning Gutters on site	\$3,325.00
1/05/2020	EFT-01929	Instant Products Group	Education and Transfer Toilets - March 2020	\$646.87
1/05/2020	EFT-01929	Joondalup Office National	A3 Photocopy paper for TP News being printed	\$315.00
1/05/2020	EFT-01929	Kitec Electrical Services	Workshop generator welder repairs	\$145.75
1/05/2020	EFT-01929	Komatsu Australia	Plt132, Plt131, Plt133 & Plt134 filters	\$1,469.46
1/05/2020	EFT-01929	LANDFILL GAS & POWER PTY LTD	Electricity - February 2020	\$7,667.17
1/05/2020	EFT-01929	MARKETFORCE P/L	Billboard artwork production	\$231.00
1/05/2020	EFT-01929	Olivers Lawn & Landscaping Pty Ltd	Tamala Park April Lawn Service	\$185.00

Schedule of Payments for May 2020
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Cheque Posting Date	Document No.	Vendor Name	Description	Amount
1/05/2020	EFT-01929	Position Partners	Landfill GPS systems monthly rental	\$2,200.00
1/05/2020	EFT-01929	Signs & Lines	Annual Bright Sign Subscription to April 2021	\$352.97
1/05/2020	EFT-01929	St Mark's Anglican Community School	Bus subsidy 10-12 March tour to TP	\$500.00
1/05/2020	EFT-01929	Tyrecycle P/L	Recycling of Tyres x374	\$3,250.25
1/05/2020	EFT-01929	Waterchem Australia P/L	3 EcoSorb (20 Litres)	\$4,290.00
1/05/2020	EFT-01929	WesTrac Pty Ltd	Plt100 - Grader incident investigation	\$1,975.49
1/05/2020	EFT-01929	Winc Australia P/L	Cleaning - Domestos 3 x 5lts	\$101.60
8/05/2020	EFT-01930	Cancelled	Cancelled	\$0.00
8/05/2020	EFT-01931	Payroll Employee Wages	Payroll FE080520	\$125,404.98
8/05/2020	EFT-01932	Australian Taxation Office	PAYG	\$44,127.00
13/05/2020	EFT-01933	A & G Wines Plumbing	Toilet Repairs in Admin	\$420.00
13/05/2020	EFT-01933	A & G Wines Plumbing	Plumbing Repairs - boiling water unit in Admin	\$269.92
13/05/2020	EFT-01933	A & G Wines Plumbing	General plumbing repairs	\$1,318.46
13/05/2020	EFT-01933	Air-Met Scientific Pty Ltd	Workshop gas monitoring	\$484.00
13/05/2020	EFT-01933	Airwell Group Pty Ltd	Week 2 6th - 9th April 2020 (25hrs)	\$1,776.50
13/05/2020	EFT-01933	AusCorp IT	5 Webcams	\$408.10
13/05/2020	EFT-01933	BOQ Asset Finance & Leasing Pty Ltd	Printer Rental - May 2020	\$446.85
13/05/2020	EFT-01933	Bunnings	Workshop Consumables - wipes and sprayers	\$214.84
13/05/2020	EFT-01933	CAPS Australia Pty Ltd	Leachate System Compressor Service	\$3,251.97
13/05/2020	EFT-01933	COVS Parts Pty Ltd	Air hose reel - auto rewind	\$166.00
13/05/2020	EFT-01933	COVS Parts Pty Ltd	Plt114 - Oil Filter	\$150.16
13/05/2020	EFT-01933	COVS Parts Pty Ltd	Plt79 Terminal Battery	\$63.49
13/05/2020	EFT-01933	Durotank	Fuel Bowser Pump Replacement	\$2,310.00
13/05/2020	EFT-01933	Ergolink	Foot rests as recommended by LGIS	\$542.24
13/05/2020	EFT-01933	Flick Anticimex P/L	TP 6 weekly 16/2, 1/4, 13/5	\$294.58
13/05/2020	EFT-01933	Flick Anticimex P/L	RRF 6 weekly 16/2, 1/4, 13/5	\$169.95
13/05/2020	EFT-01933	Gavin Burgess	Community battery collections April 2020	\$7,332.60
13/05/2020	EFT-01933	Gavin Burgess	Community battery collections March 2020	\$11,730.40
13/05/2020	EFT-01933	Great Southern Fuel Supplies	Fuel April 2020	\$21,123.50
13/05/2020	EFT-01933	Ironcat Tyres	Plt104 RF2 steer tyres	\$1,144.00
13/05/2020	EFT-01933	Kitec Electrical Services	Height sensor repair on weighbridge	\$570.97
13/05/2020	EFT-01933	Neverfail Springwater Ltd	15 x 15l bottled water	\$157.04
13/05/2020	EFT-01933	Neverfail Springwater Ltd	13 x 15l bottled water	\$180.44
13/05/2020	EFT-01933	Pirtek (Malaga) Pty Ltd	220lt Grease Line Repairs	\$356.85
13/05/2020	EFT-01933	Plants & Garden Rentals	Office Plants - May 2020	\$220.00
13/05/2020	EFT-01933	Push My Button Australia Ltd	Happy Or Not Annual License	\$6,072.00
13/05/2020	EFT-01933	SafeWork Laboratories Pty Ltd	D & A test 04.04.20	\$719.24
13/05/2020	EFT-01933	SETON AUSTRALIA PTY LTD	Stickers for Li-ion drums and signs	\$488.18
13/05/2020	EFT-01933	Starzone Holdings Pty Ltd	Plt114 - lighting tower alternator	\$440.00
13/05/2020	EFT-01933	Superior Environment Solutions	Plt79 - Tarpomatic ram	\$1,150.99
13/05/2020	EFT-01933	Town of Cambridge	TP Lease - May 2020 - Cambridge	\$5,513.54
13/05/2020	EFT-01933	Town of Victoria Park	TP Lease- May 2020 - Vic Park	\$5,513.54
13/05/2020	EFT-01933	Trade West Industrial Supplies	Staff Uniforms/Protective Clothing	\$875.73
13/05/2020	EFT-01933	Water2water P/L	Admin Billi - Cold Tap Repair	\$198.10
13/05/2020	EFT-01933	Wren Oil	Recycling of waste oil x3400 lts	\$577.50

Schedule of Payments for May 2020
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Cheque Posting Date	Document No.	Vendor Name	Description	Amount
14/05/2020	EFT-01934	Telstra	Mobile - April 2020	\$17.69
19/05/2020	EFT-01935	Telstra	Internet charges to 24/05/2020	\$1,789.26
20/05/2020	EFT-01936	360 Environmental P/L	Sampling and Analysis Plan (SAQP)	\$6,619.25
20/05/2020	EFT-01936	360 Environmental P/L	TPRC groundwater bore sampling	\$12,958.00
20/05/2020	EFT-01936	Airgen Australia	Decommissioning air cyclinders	\$462.00
20/05/2020	EFT-01936	Airwell Group Pty Ltd	Week 3 14th - 17th May 2020 (25hr)	\$1,776.50
20/05/2020	EFT-01936	Alan Gibson	Medical Appointment - A Gibson (Workers Comp)	\$141.60
20/05/2020	EFT-01936	AUSTRALIA POST - PERTH	Postage April 2020	\$220.00
20/05/2020	EFT-01936	Blackwoods & Atkins	Aluminium strip for repairs	\$62.96
20/05/2020	EFT-01936	Brendan Twine	Bait for feral animal trapping	\$21.95
20/05/2020	EFT-01936	Brendan Twine	Re-Imbursement 1/5/2020 - A Gibson (Workers Comp)	\$141.60
20/05/2020	EFT-01936	Bunnings	Globes & Garden Sprayer	\$18.11
20/05/2020	EFT-01936	Bunnings	Cable ties, silicone & cable covers	\$114.17
20/05/2020	EFT-01936	Cabcharge Australia Ltd	Taxi for Plt104 to and from repairers	\$228.38
20/05/2020	EFT-01936	CALTEX AUSTRALIA PETROLEUM PTY	Fuel April 2020 - BT	\$497.48
20/05/2020	EFT-01936	CAPS Australia Pty Ltd	Plt67 - Leachate pump repairs	\$1,028.24
20/05/2020	EFT-01936	CHUBB FIRE SAFETY LTD	Dry Chemical Fire Extinguishers (1 Kilo x 5)	\$303.88
20/05/2020	EFT-01936	Cleanaway Co Pty Ltd formally TOX FREE	Recycling of Car Gas Bottles	\$208.73
20/05/2020	EFT-01936	CSIRO	Ground Water Management	\$105,529.96
20/05/2020	EFT-01936	Domus Nursery	Agonis Flexuosa Nana - for Transfer	\$374.00
20/05/2020	EFT-01936	Hare Krishna Food for Life	Catering for EC course 10 March 2020	\$150.00
20/05/2020	EFT-01936	Joondalup Office National	USB flash drives	\$73.40
20/05/2020	EFT-01936	Joondalup Office National	Stationary	\$97.99
20/05/2020	EFT-01936	Komatsu Australia	Plt134 repair broken grease line	\$796.22
20/05/2020	EFT-01936	Komatsu Australia	Plt133 Tooth Rock Penetrators x 7	\$2,915.38
20/05/2020	EFT-01936	Komatsu Australia	Plt133 fuel caps x 2	\$273.02
20/05/2020	EFT-01936	Lynn Douglas	Staff amenities	\$52.05
20/05/2020	EFT-01936	Magicorp Pty Ltd	Subscriptions for On Hold Messages	\$49.50
20/05/2020	EFT-01936	MARKETFORCE P/L	FYW social media management - July 19	\$2,640.00
20/05/2020	EFT-01936	MARKETFORCE P/L	FYW animations	\$3,300.00
20/05/2020	EFT-01936	MARKETFORCE P/L	FYW - video production	\$7,199.50
20/05/2020	EFT-01936	Neverfail Springwater Ltd	15 x 15l bottled water	\$196.04
20/05/2020	EFT-01936	Pirtek (Malaga) Pty Ltd	Plt119 brake line repair	\$1,283.25
20/05/2020	EFT-01936	Pirtek (Malaga) Pty Ltd	Plt76 - Compressor fit up	\$1,507.31
20/05/2020	EFT-01936	Proofload P/L	Plt118 NDT plant crack testing 02.04.2020	\$1,782.00
20/05/2020	EFT-01936	Proofload P/L	Plt104 NDT plant crack testing 16.04.2020	\$1,782.00
20/05/2020	EFT-01936	SafeWork Laboratories Pty Ltd	D & A test 21.04.2020	\$1,245.26
20/05/2020	EFT-01936	SafeWork Laboratories Pty Ltd	D & A test 21.04.2020	\$176.00
20/05/2020	EFT-01936	Security Specialists Australia Pty Ltd	Cash Security collection March 2020	\$266.02
20/05/2020	EFT-01936	ST JOHN AMBULANCE	Personal First Aid Kits	\$138.56
20/05/2020	EFT-01936	Tutt Bryant Equipment WA	Plant135 100hr service	\$5,358.99
20/05/2020	EFT-01936	Winc Australia P/L	Fly spray/killer	\$55.68
20/05/2020	EFT-01936	Wren Oil	Waste Oil Recycling x3900 lts	\$660.00
20/05/2020	EFT-01937	Biovision 2020 Pty Ltd	Contractor's Fees - April 2020	\$2,303,516.46
22/05/2020	EFT-01938	Payroll Employee Wages	PAYFE220520	\$118,995.03

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Cheque Posting Date	Document No.	Vendor Name	Description	Amount
22/05/2020	EFT-01939	Australian Taxation Office	PAYG	\$40,525.00
22/05/2020	EFT-01940	ANZ Smart Choice Super	Staff Superannuation	\$610.05
22/05/2020	EFT-01940	Australian Ethical Super	Staff Superannuation	\$169.79
22/05/2020	EFT-01940	Australian Ethical Super	Staff Superannuation	\$169.79
22/05/2020	EFT-01940	Australian Ethical Super	Staff Superannuation	\$933.84
22/05/2020	EFT-01940	Australian Super Administration	Staff Superannuation	\$247.20
22/05/2020	EFT-01940	Australian Super Administration	Staff Superannuation	\$244.71
22/05/2020	EFT-01940	Australian Super Administration	Staff Superannuation	\$4,121.06
22/05/2020	EFT-01940	BT Super for Life - SG	Staff Superannuation	\$21.23
22/05/2020	EFT-01940	BT Super for Life - SG	Staff Superannuation	\$27.28
22/05/2020	EFT-01940	BT Super for Life - SG	Staff Superannuation	\$606.35
22/05/2020	EFT-01940	CBus	Staff Superannuation	\$265.05
22/05/2020	EFT-01940	CBus	Staff Superannuation	\$219.43
22/05/2020	EFT-01940	CBus	Staff Superannuation	\$1,332.33
22/05/2020	EFT-01940	Colonial First State	Staff Superannuation	\$219.43
22/05/2020	EFT-01940	Colonial First State	Staff Superannuation	\$219.43
22/05/2020	EFT-01940	Colonial First State	Staff Superannuation	\$2,732.88
22/05/2020	EFT-01940	Commonwealth Bank Group Super	Staff Superannuation	\$56.72
22/05/2020	EFT-01940	Commonwealth Bank Group Super	Staff Superannuation	\$53.58
22/05/2020	EFT-01940	Commonwealth Bank Group Super	Staff Superannuation	\$1,378.78
22/05/2020	EFT-01940	Energy Superannuation	Staff Superannuation	\$626.81
22/05/2020	EFT-01940	Hesta Super Fund	Staff Superannuation	\$578.56
22/05/2020	EFT-01940	HostPlus	Staff Superannuation	\$499.03
22/05/2020	EFT-01940	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$124.38
22/05/2020	EFT-01940	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$155.37
22/05/2020	EFT-01940	IOOF Portfolio Service Superannuation Fund	Staff Superannuation	\$2,732.09
22/05/2020	EFT-01940	MLC Master Key Personal Super	Staff Superannuation	\$400.74
22/05/2020	EFT-01940	Rest Superannuation	Staff Superannuation	\$1,141.51
22/05/2020	EFT-01940	Sunsuper	Staff Superannuation	\$159.23
22/05/2020	EFT-01940	Sunsuper	Staff Superannuation	\$159.23
22/05/2020	EFT-01940	Sunsuper	Staff Superannuation	\$1,483.90
22/05/2020	EFT-01940	TWU Superannuation Fund	Staff Superannuation	\$612.05
22/05/2020	EFT-01940	Walgs Plan Pty Ltd	Staff Superannuation	\$3,885.34
22/05/2020	EFT-01940	Walgs Plan Pty Ltd	Staff Superannuation	\$3,870.68
22/05/2020	EFT-01940	Walgs Plan Pty Ltd	Staff Superannuation	\$24,412.19
22/05/2020	EFT-01941	EASISALARY PTY LTD	Staff Salary Scarifice	\$479.84
22/05/2020	EFT-01941	EASISALARY PTY LTD	Staff Salary Scarifice	\$479.84
28/05/2020	EFT-01942	A & G Wines Plumbing	Toilet Maintenance - weighbridge	\$346.28
28/05/2020	EFT-01942	Alance Newspaper & Magazine Delivery	Newspapers 17/02/20 to 12/04/20	\$312.00
28/05/2020	EFT-01942	Allwest Plant Hire Australia	Skid Steer Hire April 2020 - 17 days	\$6,842.00
28/05/2020	EFT-01942	Aurora Environmental (Perth) Pty Ltd	Testing of Leachate + Report based on three	\$3,256.50
28/05/2020	EFT-01942	Australian Services Union	Staff Union Fees	\$51.80
28/05/2020	EFT-01942	Australian Services Union	Staff Union Fees	\$51.80
28/05/2020	EFT-01942	Blackwoods & Atkins	Information Tags	\$272.63
28/05/2020	EFT-01942	ELO Digital Office AU/NA Pty Ltd	ELO Monthly Support - March 2020 - March 2021	\$935.00

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Cheque Posting Date	Document No.	Vendor Name	Description	Amount
28/05/2020	EFT-01942	Hare & Forbes Machinery House Pty Ltd	Cold saw blades	\$399.10
28/05/2020	EFT-01942	Instant Products Group	Education and Transfer Toilets - March 2020	\$212.28
28/05/2020	EFT-01942	Iron Mountain Australia Pty Ltd	Data Storage - April 2020	\$42.96
28/05/2020	EFT-01942	Ironcat Tyres	Plt83 drive tyres	\$3,923.00
28/05/2020	EFT-01942	Kitec Electrical Services	Outbound boom gate repairs	\$211.75
28/05/2020	EFT-01942	LANDFILL GAS & POWER PTY LTD	Electricity - March 2020	\$7,365.86
28/05/2020	EFT-01942	MARKETFORCE P/L	M/Force Advert Tender 13/143 Ledger System Upgrade	\$517.20
28/05/2020	EFT-01942	MARKETFORCE P/L	OCM 23 April 2020 now being held ELECTRONICALLY	\$705.95
28/05/2020	EFT-01942	MARKETFORCE P/L	Special Council meeting advert for 2 April 2020	\$619.00
28/05/2020	EFT-01942	MARKETFORCE P/L	Good Friday closure Advert Wanneroo Times	\$106.27
28/05/2020	EFT-01942	MARKETFORCE P/L	Good Friday closure Advert Wanneroo Times	\$233.63
28/05/2020	EFT-01942	METTLER TOLEDO LIMITED	Tamala Park Weighbridge Calibration	\$4,482.50
28/05/2020	EFT-01942	Patricia Plunkett	SIM cards - working at home COVID-19	\$100.00
28/05/2020	EFT-01942	Pro Water Services	Dewatering automation	\$14,850.00
28/05/2020	EFT-01942	Proofload P/L	Rigging Equipment as per Quote # 00006332	\$2,459.33
28/05/2020	EFT-01942	RWC Contractor - Rob Wong	Electrical trench backfill drop off	\$2,249.50
28/05/2020	EFT-01942	Satellite Security Services P/L	Building Security - January - April 2020	\$1,328.39
28/05/2020	EFT-01942	Soft Landing	Recycling of Mattresses for City of Stirling	\$11,646.80
28/05/2020	EFT-01942	Soft Landing	Recycling of Mattresses MRC x 496	\$13,640.00
28/05/2020	EFT-01942	ST JOHN AMBULANCE	1st aid upkeep	\$1,380.37
28/05/2020	EFT-01942	Starzone Holdings Pty Ltd	Plt110 Electric cannon valve	\$1,958.00
28/05/2020	EFT-01942	Suez Recycling & Recovery (Perth) P/L	Confidential Waste Paper - April 2020	\$52.04
28/05/2020	EFT-01942	Trade West Industrial Supplies	Size 8.5 Wh Steel Blue Argyle Zip C/W B/cap Penet	\$358.60
28/05/2020	EFT-01942	Trade West Industrial Supplies	Steel Blue Argyle Safety Boots (SM)	\$92.40
28/05/2020	EFT-01942	Trade West Industrial Supplies	STEEL BLUE ARGYLE MET SIZE 6 BLACK - VEE	\$200.75
28/05/2020	EFT-01942	Trade West Industrial Supplies	Pro Fit Riggamate Gloves LARGE	\$52.80
28/05/2020	EFT-01942	Trade West Industrial Supplies	Bisley Pants 'rip stop' Navy 102cm	\$817.75
28/05/2020	EFT-01942	Trident Signs Pty Ltd	Printing of Ed Centre signage	\$3,723.50
28/05/2020	EFT-01942	Tyrecycle P/L	Tyre recycling x 163	\$1,668.85
28/05/2020	EFT-01942	United Equipment	Caterpillar 205 Tonne Forklift	\$40,431.60
28/05/2020	EFT-01942	Western Tree Recyclers	Recycling of greens Perth - 12.48 tonnes	\$604.03
28/05/2020	EFT-01942	Western Tree Recyclers	Recycling of Joondalup greens - 157.38 tonnes	\$5,886.01
29/05/2020	EFT-01943	Adam Bartolo	High Risk Licence Renewal - A Bartolo	\$100.00
29/05/2020	EFT-01943	Airwell Group Pty Ltd	Adhoc work during April 2020	\$1,311.48
29/05/2020	EFT-01943	Airwell Group Pty Ltd	Week 4 20/04/2020 to 24/04/2020	\$2,220.63
29/05/2020	EFT-01943	Airwell Group Pty Ltd	Replacement/repairs parts for leachate system	\$742.97
29/05/2020	EFT-01943	Airwell Group Pty Ltd	Week 1 - (28 April - 1 May 2020) 20 hrs	\$1,776.50
29/05/2020	EFT-01943	ALS Laboratory Services P/L	Atmospheric monitoring Quote NE-045-20	\$1,133.00
29/05/2020	EFT-01943	Castledine Gregory	Legal Expenses - 10/2/20 to 10/4/2020 re Capping	\$6,551.60
29/05/2020	EFT-01943	Central Fire Services P/L	Monthly maintenance & test Fire System	\$78.83
29/05/2020	EFT-01943	City of Joondalup	TP Lease - June 2020 - Joondalup	\$11,297.17
29/05/2020	EFT-01943	City of Perth	TP Lease - June 2020 - Perth	\$5,576.52
29/05/2020	EFT-01943	City of Vincent	TP Lease - May 2020 - Vincent	\$5,513.54
29/05/2020	EFT-01943	City of Wanneroo	TP Lease - June 2020 - Wanneroo	\$11,203.50
29/05/2020	EFT-01943	Couplers Malaga	Leachate pipe	\$2,242.68

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Cheque Posting Date	Document No.	Vendor Name	Description	Amount
29/05/2020	EFT-01943	COVS Parts Pty Ltd	Plt107 Tana fuel filter	\$334.07
29/05/2020	EFT-01943	Ellenby Tree Farm Pty Ltd	Large Agonis (4) - WA Weeping Peppermint	\$308.00
29/05/2020	EFT-01943	Enviro Sweep	Road Sweeping at TP - April 2020	\$594.00
29/05/2020	EFT-01943	Envirocare Systems	RRF Mthly Hygiene Service - monthly billing	\$231.77
29/05/2020	EFT-01943	Envirocare Systems	TP Mthly Hygiene Service - monthly billing	\$694.54
29/05/2020	EFT-01943	Gentronics	Portable Mig Welder	\$2,137.13
29/05/2020	EFT-01943	Herbert Smith Freehills	Legal Expenses - RRF Agreement - to 20/04/2020	\$776.16
29/05/2020	EFT-01943	INX Software Pty Ltd	Incontrol Licence & Support 1/7/20-30/6/2021	\$7,169.80
29/05/2020	EFT-01943	MARKETFORCE P/L	FYW Bus Rear Advert over 16 weeks	\$4,125.00
29/05/2020	EFT-01943	MARKETFORCE P/L	FYW OHM & Facebook (Nov - April)	\$8,543.34
29/05/2020	EFT-01943	Olivers Lawn & Landscaping Pty Ltd	March Contracted Service	\$185.00
29/05/2020	EFT-01943	Peter Boland	Staff Work Boots Uniform	\$142.45
29/05/2020	EFT-01943	Position Partners	Landfill GPS systems monthly rental	\$2,200.00
29/05/2020	EFT-01943	Reece Vellios	Powerboards for COVID set up	\$116.20
29/05/2020	EFT-01943	Riley Mathewson Public Relations	MAR Review - CEP	\$2,503.47
29/05/2020	EFT-01943	Soft Landing	Recycling of Stirling mattresses	\$23,705.00
29/05/2020	EFT-01943	T & C Transport Services	Courier Expenses - April 2020	\$166.63
29/05/2020	EFT-01943	The Hire Guys - Wangara	Digital Message Boards - Wk 3 20/4-26/4/2020	\$1,920.00
29/05/2020	EFT-01943	The Hire Guys - Wangara	Digital Message Boards - Wk 5 4/5-10/5/2020	\$1,920.00
29/05/2020	EFT-01943	Town of Cambridge	TP Lease - June 2020	\$5,513.54
29/05/2020	EFT-01943	Trade West Industrial Supplies	Steel Blue Argyle Safety Boots (SM)	\$198.00
29/05/2020	EFT-01943	Trade West Industrial Supplies	CMMMTLW - Cardboard Signage	\$857.67
29/05/2020	EFT-01943	Trade West Industrial Supplies	Safety Glasses Typhon Black	\$151.80
29/05/2020	EFT-01943	Trade West Industrial Supplies	Bisley Pants 'rip stop' Navy 102cm	\$860.31
29/05/2020	EFT-01943	Trade West Industrial Supplies	Ethanol & Hand Santiser	\$784.30
29/05/2020	EFT-01943	Tyrecycle P/L	Tyre recycling x97	\$689.57
29/05/2020	EFT-01943	Tyrecycle P/L	Tyre recycling x66	\$478.99
29/05/2020	EFT-01943	Winc Australia P/L	Cleaning - Domestos 3 x 5lts	\$110.68

Total EFT Payments

\$3,219,510.91

CBA Cheque No. 752 - 756	\$3,632.35
Electronic Payments:	
DP- 01811 to DP- 01817	\$211,170.38
Inter-Account Transfers	\$0.00
EFT- 01929 to EFT- 01943	\$3,219,510.91
Grand Total	\$3,434,313.64

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

**Schedule of Payments for May 2020
Council Meeting - 24th September 2020**

Cheque Posting Date	Document No.	Vendor Name	Description	Amount
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This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 24 September 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 May 2020
Council Meeting - 24th September 2020

Date	Payment to	Description	Amount
29-Apr-20	The Flower Look	Staff Breavement flowers	\$92.94
6-May-20	Cummins Perth Airport	Plant 107 Fuel Solonoid	\$235.46
8-May-20	Telstra	Recharge for HHW Ipad	\$30.00
11-May-20	The Flower Look	Staff Breavement	\$78.94
13-May-20	IP Cases Australia	Ipad Case for HHW Ipad	\$79.90
13-May-20	Geoff Perkins Farm	Plant 76 New Holland Pulley	\$1,091.75
13-May-20	Officework Online	Ipad Mini HHW	\$585.95
13-May-20	Wave. Video Creator	Video Software Annual Subscription	\$371.75
14-May-20	Prefect Agencies	UV Fluro 4 pin connector - IT consumable	\$51.92
17-May-20	Coles	Staff Amentities	\$170.05
18-May-20	Business Base	Office Furniture - Pedestal Station	\$209.00
18-May-20	PLE Computers	6 x Replacement Monitors	\$2,242.31
24-May-20	Coles	Staff Amentities	\$28.50
27-May-20	Qantas Airlines	Refund for Cancelled flights due to covid	-\$1,149.66
27-May-20	The Good Guys	Fridge Freezer for Old Admin Building	\$699.00
27-May-20	Ali Express	IT Consumables	\$33.43
27-May-20	ASIC Sydney	New Vendor Report	\$17.00
Total CBA Credit Card - 29 April - 28 May 2020			\$4,868.24

List of payments made for the month ended 30 June 2020

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APPENDIX 5

Item
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Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting Date	Document No.	Vendor Name	Description	Amount
9/06/2020	757	Cash	Staff Lotto	\$330.00
9/06/2020	758	Department of Transport	MRC Vehicle Registrations	\$6,445.20
26/06/2020	759	Cash	Staff Lotto	\$330.00
26/06/2020	760	Synergy	Electricity April - June 2020	\$87.17
29/06/2020	761	Cash - Petty Cash	Petty Cash Reimbursement	\$740.15
30/06/2020	762	Frank Cvitan	Member Meeting Fees	\$5,650.00
30/06/2020	763	Karen Vernon	Member Meeting Fees	\$5,650.00
30/06/2020	764	Len Kosova	Member Meeting Fees	\$5,650.00
Total CBA cheques				\$24,882.52
19/06/2020	DP-01818	Australian Taxation Office	BAS May 2020	\$131,077.00
19/06/2020	DP-01819	Australian Taxation Office	BAS Adjustment	\$64,285.00
24/06/2020	DP-01820	Australian Taxation Office	BAS Adjustment	\$56,538.00
2/06/2020	DP-01821	Cancelled	Cancelled	\$0.00
2/06/2020	DP-01822	Cancelled	Cancelled	\$0.00
27/06/2020	DP-01823	Pay MRC Credit Card - June 2020	See Attached Schedule	\$6,969.63
15/06/2020	DP-01824	Commonwealth Bank	CommBiz Fees May 2020	\$45.38
15/06/2020	DP-01825	Commonwealth Bank	Account Service Fees May 2020	\$6.00
2/06/2020	DP-01826	Commonwealth Bank	CBA Merchant Fee - May 2020	\$87.12
2/06/2020	DP-01827	Commonwealth Bank	CBA Merchant Fee - May 2020	\$1,669.89
Total Direct Payments & Fees				\$260,678.02
18/06/2020	Tsf1	National Australia Bank	Term Deposit	\$2,000,000.00
Total Inter account Transfers				\$2,000,000.00
Posting Date	Document No.	Vendor Name	Details	EFT Amount
5/06/2020	EFT-01944	Payroll Employee Wages	PAY FE050620	\$123,037.16
5/06/2020	EFT-01945	Australian Taxation Office	PAYG	\$42,821.00
5/06/2020	EFT-01946	Telstra	Mobile - April 2020	\$1,333.90
5/06/2020	EFT-01947	All Fence U Rent P/L	Wind Damage Fence Repairs	\$264.00
5/06/2020	EFT-01947	Blackwoods & Atkins	Information Tags - 3 packs x 100 tags	\$152.13
5/06/2020	EFT-01947	Blackwoods & Atkins	Restock nuts and bolts	\$495.48
5/06/2020	EFT-01947	BOQ Asset Finance & Leasing Pty Ltd	Printer Rental - June 2020	\$446.85
5/06/2020	EFT-01947	Clarkson Holden	Plt129 - Service and repair	\$610.50
5/06/2020	EFT-01947	Couplers Malaga	Plt67 - wafer check valves/stainless flanges	\$871.05
5/06/2020	EFT-01947	Data#3	VMWare Annual Licence Renewal	\$7,602.65
5/06/2020	EFT-01947	Fennell Tyres International Pty Ltd	Plt134 Tyre repair	\$520.85
5/06/2020	EFT-01947	GCM Enviro Pty Ltd	Plt107 service kit x 2	\$3,823.74
5/06/2020	EFT-01947	H & L GLASS	Window tinting to Plt107, 71, 101, 129, 122 & 107	\$2,629.00
5/06/2020	EFT-01947	Joondalup Office National	Stationery - pens	\$25.08
5/06/2020	EFT-01947	Joondalup Office National	Photocopy paper	\$164.37

Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting	Document No.	Vendor Name	Description	Amount
Date				
5/06/2020	EFT-01947	Kitec Electrical Services	External Lighting Repairs	\$750.75
5/06/2020	EFT-01947	Komatsu Australia	Plt133 bucket blades	\$5,224.80
5/06/2020	EFT-01947	Komatsu Australia	Plt133 blade nuts and bolts	\$132.40
5/06/2020	EFT-01947	Komatsu Australia	Plt133 heel plate bolts and nuts	\$44.92
5/06/2020	EFT-01947	Pirtek (Malaga) Pty Ltd	Plt119 - Brake line replacement	\$485.72
5/06/2020	EFT-01947	Remondis Australia Pty Ltd	Cardboard Bale Collection Feb & Mar 2020	\$2,503.60
5/06/2020	EFT-01947	Starzone Holdings Pty Ltd	Plt110 - replace water cannon module & A/C fan	\$3,362.63
5/06/2020	EFT-01947	The Hire Guys - Wangara	Digital Message Boards - 23/03-05/04/2020	\$1,920.00
5/06/2020	EFT-01947	The Hire Guys - Wangara	Digital Message Boards - 06/04-20/04/2020	\$1,920.00
5/06/2020	EFT-01947	Trident Signs Pty Ltd	Various FYW print materials	\$1,606.72
5/06/2020	EFT-01947	WesTrac Pty Ltd	Plt118 - pin, engine oil and hydraulic oil	\$388.64
12/06/2020	EFT-01948	Airwell Group Pty Ltd	Leachate maintenance - 25th - 29th May	\$2,220.63
12/06/2020	EFT-01948	Airwell Group Pty Ltd	Leachate maintenance - 11th - 15th May	\$2,220.63
12/06/2020	EFT-01948	Airwell Group Pty Ltd	Leachate maintenance - 18th - 2nd May	\$866.04
12/06/2020	EFT-01948	Allout Towing Services Pty Ltd	Plt130 - transport to repairer for cab repairs	\$206.80
12/06/2020	EFT-01948	ANRI Instruments & Controls Pty Ltd	GFM 436 Gas meter	\$12,200.00
12/06/2020	EFT-01948	Blackwoods & Atkins	Boot scrubbers	\$746.58
12/06/2020	EFT-01948	Blackwoods & Atkins	Workshop Consumables - Nylon nuts	\$75.35
12/06/2020	EFT-01948	Blackwoods & Atkins	Workshop Consumables - Washers	\$46.33
12/06/2020	EFT-01948	Blackwoods & Atkins	Workshop Consumables - Spray bottles	\$25.52
12/06/2020	EFT-01948	Blackwoods & Atkins	Workshop Consumables - Cloth Chux Rolls	\$170.40
12/06/2020	EFT-01948	Blackwoods & Atkins	Workshop hose reel & Leachate pump covers	\$1,914.38
12/06/2020	EFT-01948	BOQ Asset Finance & Leasing Pty Ltd	Printer Rental - July 2020	\$446.85
12/06/2020	EFT-01948	Bunnings	Signs & Barricades - concrete	\$112.02
12/06/2020	EFT-01948	Bunnings	Sprayer x 4	\$31.00
12/06/2020	EFT-01948	Bunnings	Tubing	\$29.05
12/06/2020	EFT-01948	Bunnings	Tie down ratchet & Edge Trim	\$65.48
12/06/2020	EFT-01948	Bunnings	Pruner and folding saw	\$48.41
12/06/2020	EFT-01948	Command A Com	Barracuda Firewall License Renewal	\$2,865.50
12/06/2020	EFT-01948	Command A Com	Telephone Expenses - May 2020	\$1,387.01
12/06/2020	EFT-01948	Datacom Systems WA	Laptops x 5	\$10,621.11
12/06/2020	EFT-01948	DAVID GRAY & CO P/L	Carboard Bin Parts	\$575.58
12/06/2020	EFT-01948	ELO Digital Office AU/NA Pty Ltd	ELO Software fee 1/7/20-30/6/2021	\$3,179.00
12/06/2020	EFT-01948	EMRC	CCA timber to Red Hill	\$600.00
12/06/2020	EFT-01948	Eyewise Optical	Safety Spectacles Staff Reimbursement	\$642.00
12/06/2020	EFT-01948	Great Southern Fuel Supplies	Fuel May 2020	\$20,364.69
12/06/2020	EFT-01948	Joondalup Office National	Toner Cartridge	\$157.12
12/06/2020	EFT-01948	Joondalup Office National	Stationery Items - Various	\$163.58
12/06/2020	EFT-01948	Joondalup Office National	Stationery - double sided tape	\$5.34
12/06/2020	EFT-01948	Joondalup Office National	Photocopying paper	\$188.49
12/06/2020	EFT-01948	Komatsu Australia	Plt131 switch replacement - accident damage	\$879.73
12/06/2020	EFT-01948	Kyocera Document Solutions	Photocopying Expenses - April 2020	\$1,687.42
12/06/2020	EFT-01948	Major Motors Pty Ltd	Plt110 - 180,000km service	\$1,609.07
12/06/2020	EFT-01948	Moore Stephens WA	FBT Workshop 9 March 2020 WHigo	\$770.00
12/06/2020	EFT-01948	Olivers Lawn & Landscaping Pty Ltd	RRF Garden & Lawn Maintenance inc fertilizing	\$440.00
12/06/2020	EFT-01948	Olivers Lawn & Landscaping Pty Ltd	TP- Mowing/Lawn care May 2020	\$675.00

Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting	Document No.	Vendor Name	Description	Amount
Date				
12/06/2020	EFT-01948	Open Office	Navision Support 1/7/20-30/6/21	\$33,996.52
12/06/2020	EFT-01948	Pirtek (Malaga) Pty Ltd	Plt107 Find compactor leak	\$674.63
12/06/2020	EFT-01948	Pirtek (Malaga) Pty Ltd	Plt118 Coupling and adaptor attachments	\$560.87
12/06/2020	EFT-01948	Pirtek (Malaga) Pty Ltd	Plt104 Repair hydraulic leak	\$204.79
12/06/2020	EFT-01948	Plants & Garden Rentals	Office Plants - April 2020	\$220.00
12/06/2020	EFT-01948	Plants & Garden Rentals	Office Plants - June 2020	\$220.00
12/06/2020	EFT-01948	Remondis Australia Pty Ltd	Carboard Bale Collection April 2020	\$1,499.30
12/06/2020	EFT-01948	Pro Water Services	Leachate System - fitting of butterfly valves	\$10,670.00
12/06/2020	EFT-01948	REPCO AUTO PARTS- Clarkson	Workshop rags	\$22.00
12/06/2020	EFT-01948	Riley Mathewson Public Relations	MAR Services	\$624.02
12/06/2020	EFT-01948	Security Specialists Australia Pty Ltd	Cash Security Collection April 2020	\$66.51
12/06/2020	EFT-01948	Senversa Pty Ltd	SAQP Review - partial payment	\$3,212.00
12/06/2020	EFT-01948	Staff Australia	Replanting at Transfer - 1 day	\$233.85
12/06/2020	EFT-01948	Staff Australia	Assistance for 1 extra day	\$214.36
12/06/2020	EFT-01948	Staff Australia	Weighbridge grounds upgrade	\$438.45
12/06/2020	EFT-01948	Staff Australia	Leachate mat - gabion installation	\$2,757.40
12/06/2020	EFT-01948	T & C Transport Services	Courier Expenses - March 2020	\$99.29
12/06/2020	EFT-01948	Town of Victoria Park	TP Lease - June 2020 - Vic Park	\$5,513.54
12/06/2020	EFT-01948	Trade West Industrial Supplies	Work boots - Steel Blue	\$202.95
12/06/2020	EFT-01948	Trade West Industrial Supplies	Rigga Mate - Pro Safety Gloves - 24 pairs	\$118.80
12/06/2020	EFT-01948	Tyrecycle P/L	Recycling of Tyres - 128	\$1,317.31
12/06/2020	EFT-01948	Water2water P/L	Water Purifiers around site serviced/repared	\$1,842.50
12/06/2020	EFT-01948	Winc Australia P/L	Paper Towel Kleenex & Tork 170370	\$292.59
12/06/2020	EFT-01948	Winc Australia P/L	Staff Amenities	\$100.58
12/06/2020	EFT-01948	Winc Australia P/L	Staff Amenities	\$43.71
12/06/2020	EFT-01948	Winc Australia P/L	Staff Amenities	\$93.72
12/06/2020	EFT-01948	Winc Australia P/L	Staff Amenities	\$56.05
12/06/2020	EFT-01948	Winc Australia P/L	Toner Cartridges	\$120.87
12/06/2020	EFT-01948	Wren Oil	Waste Oil Recycled - admin fee	\$16.50
12/06/2020	EFT-01948	Wren Oil	Recycling of waste oil - 3900 litres	\$660.00
12/06/2020	EFT-01948	Wren Oil	Recycling of waste oil - 2300 litres	\$649.00
19/06/2020	EFT-01949	Payroll Employee Wages	PAYFE190620	\$119,292.88
19/06/2020	EFT-01950	Australian Taxation Office	PAYG	\$40,917.00
19/06/2020	EFT-01951	Biovision 2020 Pty Ltd	Contractor's Fees - May 2020	\$2,892,754.40
19/06/2020	EFT-01952	Allout Towing Services Pty Ltd	Plt130 - transport from repairer aftercab repairs	\$220.00
19/06/2020	EFT-01952	Aurora Environmental (Perth) Pty Ltd	Occupational Hygiene Monitoring - Tamala	\$7,463.50
19/06/2020	EFT-01952	Blackwoods & Atkins	Workshop Consumables - nylon nut inserts	\$14.52
19/06/2020	EFT-01952	Blackwoods & Atkins	High tensile bolts	\$103.40
19/06/2020	EFT-01952	BOC Limited	Workshop gas supply 29.03.20-27.04.20	\$70.77
19/06/2020	EFT-01952	Cabcharge Australia Ltd	Taxi for staff to doctors	\$49.09
19/06/2020	EFT-01952	CALTEX AUSTRALIA PETROLEUM PTY	Fuel May 2020 - BT	\$456.43
19/06/2020	EFT-01952	City of Vincent	TP Lease - June 2020 - Vincent	\$5,513.54
19/06/2020	EFT-01952	Cooper & Oxley Group Pty Ltd	Dust Suppression System Installation	\$26,652.00
19/06/2020	EFT-01952	Cooper & Oxley Group Pty Ltd	Materials Fabrication - Dust suppression system	\$24,850.00
19/06/2020	EFT-01952	Cooper & Oxley Group Pty Ltd	Variation - Additional Concrete Repairs	\$5,577.90
19/06/2020	EFT-01952	David Moss Corporation P/L	Irrigation piping	\$3,479.08

Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting	Document No.	Vendor Name	Description	Amount
Date				
19/06/2020	EFT-01952	EMRC	CCA timber to Red Hill	\$464.00
19/06/2020	EFT-01952	Fennell Tyres International Pty Ltd	Plt133 - Puncture Repair	\$495.00
19/06/2020	EFT-01952	Integrity Fencing and Gates	Boundary Fence Storm Damage Repairs	\$660.00
19/06/2020	EFT-01952	Integrity Fencing and Gates	Materials - Boundary Fence Security	\$24,365.00
19/06/2020	EFT-01952	Joondalup Office National	White board markers	\$8.68
19/06/2020	EFT-01952	Joondalup Office National	Batteries & Lever arch files	\$85.84
19/06/2020	EFT-01952	Kapish Services Pty Ltd	Easy Link Renewal 27/7/2020-26/7/2021	\$541.82
19/06/2020	EFT-01952	Kyocera Document Solutions	Photocopying Expenses - May 2020	\$110.53
19/06/2020	EFT-01952	Lynn Douglas	Staff amenities	\$115.50
19/06/2020	EFT-01952	MARKETFORCE P/L	FYW social media management - monthly paymt	\$2,640.00
19/06/2020	EFT-01952	MARKETFORCE P/L	Public Notice - Special Council meet 28 May 2020	\$845.03
19/06/2020	EFT-01952	MARKETFORCE P/L	FYW Bus backs - May 2020	\$3,300.00
19/06/2020	EFT-01952	METTLER TOLEDO LIMITED	Insurance Claims - Lightning Damage RRF	\$5,423.00
19/06/2020	EFT-01952	Neverfail Springwater Ltd	Water - 9 x 15L bottles	\$70.20
19/06/2020	EFT-01952	Plastic Free July	Regional membership for PFJ activity Apr-May 2020	\$11,000.00
19/06/2020	EFT-01952	PT & JH Pearman	Education Department Painting	\$4,350.00
19/06/2020	EFT-01952	REPCO AUTO PARTS- Clarkson	Workshop rags	\$22.00
19/06/2020	EFT-01952	SafeWork Laboratories Pty Ltd	D&A testing individual tests 17/05/20	\$30.80
19/06/2020	EFT-01952	Slte Planning and Design Pty Ltd	Design and approvals - Boundary Fence	\$1,755.81
19/06/2020	EFT-01952	Spectur Ltd	Quarterly Server, alarms & CCTV Bundle Jun-Aug 2020	\$264.00
19/06/2020	EFT-01952	T & C Transport Services	Courier Expenses - May 2020	\$202.04
19/06/2020	EFT-01952	Trade West Industrial Supplies	PPE Chapstick - lipbalm	\$54.45
19/06/2020	EFT-01952	Trade West Industrial Supplies	Extra Heavy Duty Nitril Gloves Disp(100/Box) M	\$54.45
19/06/2020	EFT-01952	Department of Transport	Vehicle Searches	\$3.40
19/06/2020	EFT-01952	Worldwide Printing Solutions	FYW Postcard flyers printing x5000	\$880.00
19/06/2020	EFT-01953	ANZ Smart Choice Super	Superannuation	\$576.80
19/06/2020	EFT-01953	Australian Ethical Super	Superannuation	\$169.79
19/06/2020	EFT-01953	Australian Ethical Super	Superannuation	\$169.79
19/06/2020	EFT-01953	Australian Ethical Super	Superannuation	\$933.84
19/06/2020	EFT-01953	Australian Super Administration	Superannuation	\$250.98
19/06/2020	EFT-01953	Australian Super Administration	Superannuation	\$246.53
19/06/2020	EFT-01953	Australian Super Administration	Superannuation	\$4,193.04
19/06/2020	EFT-01953	BT Super for Life - SG	Superannuation	\$26.32
19/06/2020	EFT-01953	BT Super for Life - SG	Superannuation	\$28.87
19/06/2020	EFT-01953	BT Super for Life - SG	Superannuation	\$689.91
19/06/2020	EFT-01953	CBus	Superannuation	\$219.43
19/06/2020	EFT-01953	CBus	Superannuation	\$243.25
19/06/2020	EFT-01953	CBus	Superannuation	\$1,272.38
19/06/2020	EFT-01953	Colonial First State	Superannuation	\$219.43
19/06/2020	EFT-01953	Colonial First State	Superannuation	\$219.43
19/06/2020	EFT-01953	Colonial First State	Superannuation	\$2,732.88
19/06/2020	EFT-01953	Commonwealth Bank Group Super	Superannuation	\$55.76
19/06/2020	EFT-01953	Commonwealth Bank Group Super	Superannuation	\$55.73
19/06/2020	EFT-01953	Commonwealth Bank Group Super	Superannuation	\$1,393.71
19/06/2020	EFT-01953	Energy Superannuation	Superannuation	\$540.75
19/06/2020	EFT-01953	Hesta Super Fund	Superannuation	\$448.82

Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting	Document No.	Vendor Name	Description	Amount
Date				
19/06/2020	EFT-01953	HostPlus	Superannuation	\$466.10
19/06/2020	EFT-01953	IOOF Portfolio Service Superannuation Fund	Superannuation	\$122.26
19/06/2020	EFT-01953	IOOF Portfolio Service Superannuation Fund	Superannuation	\$152.29
19/06/2020	EFT-01953	IOOF Portfolio Service Superannuation Fund	Superannuation	\$2,735.70
19/06/2020	EFT-01953	MLC Master Key Personal Super	Superannuation	\$400.74
19/06/2020	EFT-01953	Rest Superannuation	Superannuation	\$1,012.56
19/06/2020	EFT-01953	Sunsuper	Superannuation	\$159.23
19/06/2020	EFT-01953	Sunsuper	Superannuation	\$159.23
19/06/2020	EFT-01953	Sunsuper	Superannuation	\$1,483.90
19/06/2020	EFT-01953	TWU Superannuation Fund	Superannuation	\$550.56
19/06/2020	EFT-01953	Walgs Plan Pty Ltd	Superannuation	\$3,821.88
19/06/2020	EFT-01953	Walgs Plan Pty Ltd	Superannuation	\$3,821.12
19/06/2020	EFT-01953	Walgs Plan Pty Ltd	Superannuation	\$23,971.90
22/06/2020	EFT-01954	EASISALARY PTY LTD	Staff Salary Sacrifice	\$479.84
22/06/2020	EFT-01954	EASISALARY PTY LTD	Staff Salary Sacrifice	\$479.84
24/06/2020	EFT-01955	Australian Taxation Office	Fringe Benefits Tax to 31/03/2020	\$7,275.00
26/06/2020	EFT-01956	A & G Wines Plumbing	Plumbing Repairs - workshop & admin	\$390.78
26/06/2020	EFT-01956	ACT Industrial Pty Ltd	Bin Parts - T609 Hook Pin	\$143.00
26/06/2020	EFT-01956	Adam Bartolo	Safety Boots - AB	\$185.00
26/06/2020	EFT-01956	Airwell Group Pty Ltd	May 20 - Leachate System Repairs and service parts	\$256.47
26/06/2020	EFT-01956	Airwell Group Pty Ltd	Leachate maintenance Ad-hoc hrs May 20	\$836.00
26/06/2020	EFT-01956	Airwell Group Pty Ltd	Leachate maintenance - 4th - 8th May	\$2,220.63
26/06/2020	EFT-01956	ALINTA ENERGY	Gas 09/03/20 - 10/6/20	\$64.10
26/06/2020	EFT-01956	Anne Pettit	Contract Labour - EC support Mar - May 2020	\$1,100.00
26/06/2020	EFT-01956	Australian Services Union	Staff Union Fees	\$51.80
26/06/2020	EFT-01956	Australian Services Union	Staff Union Fees	\$51.80
26/06/2020	EFT-01956	BENARA NURSERIES	Plants for weighbridge garden	\$453.99
26/06/2020	EFT-01956	Blandon WA Pty Ltd	Branded keep cups for promotional marketing	\$887.70
26/06/2020	EFT-01956	Castledine Gregory	Legal Expenses 20/5/20 to 3/6/20	\$2,758.80
26/06/2020	EFT-01956	Cooper & Oxley Group Pty Ltd	Structural Steel Uprights	\$11,156.20
26/06/2020	EFT-01956	Couplers Malaga	Water Fittings for 63mm and 90mm pipes	\$967.16
26/06/2020	EFT-01956	Domus Nursery	Plants for the visual barrier	\$1,490.50
26/06/2020	EFT-01956	Enviro Sweep	Road Sweeping May 2020	\$594.00
26/06/2020	EFT-01956	Gunther Hoppe	Spectacle Allowance GH	\$200.00
26/06/2020	EFT-01956	Instant Products Group	Transfer Toilet Hire - May 2020	\$251.50
26/06/2020	EFT-01956	Iron Mountain Australia Pty Ltd	Data Storage - May 2020	\$102.48
26/06/2020	EFT-01956	Joondalup Office National	Stationery - flashdrives/financial planners	\$130.77
26/06/2020	EFT-01956	Kitec Electrical Services	Fluorescent light replacement	\$225.50
26/06/2020	EFT-01956	Kitec Electrical Services	Replace fluorescent light fitting weighbridge	\$225.50
26/06/2020	EFT-01956	Kitec Electrical Services	New Office - Data And Electrical work	\$5,978.50
26/06/2020	EFT-01956	Lynn Douglas	Milk for site	\$80.80
26/06/2020	EFT-01956	Magicorp Pty Ltd	Subscriptions for On Hold Messages	\$49.50
26/06/2020	EFT-01956	Olivers Lawn & Landscaping Pty Ltd	Hedges and Hedges care at TP - May 2020	\$185.00
26/06/2020	EFT-01956	Pro Water Services	Leachate pump repair	\$660.00
26/06/2020	EFT-01956	Proofload P/L	Crane certification	\$3,773.00
26/06/2020	EFT-01956	PT & JH Pearman	Education Department Painting	\$5,650.00

Schedule of Payments for June 2020
Council Meeting - 24th September 2020

Cheque Posting	Document No.	Vendor Name	Description	Amount
Date				
26/06/2020	EFT-01956	PT & JH Pearman	Administration Painting Repairs	\$5,000.00
26/06/2020	EFT-01956	PT & JH Pearman	Transfer Upgrade to Degas Shed	\$1,100.00
26/06/2020	EFT-01956	SafeWork Laboratories Pty Ltd	D&A individual tests 29/05/20	\$68.20
26/06/2020	EFT-01956	Soft Landing	Recycling of mattresses - Tamala Park	\$11,000.00
26/06/2020	EFT-01956	Soft Landing	Recycling of Mattresses for Stirling May 2020	\$16,637.50
26/06/2020	EFT-01956	Soft Landing	Recycling of Stirling Mattresses May 2020	\$18,713.20
26/06/2020	EFT-01956	Soft Landing	Mattress recycling for Stirling adj - May 2020	\$770.00
26/06/2020	EFT-01956	Soft Landing	Mattresses Recycled - City of Stirling adj May 2020	\$936.10
26/06/2020	EFT-01956	Suez Recycling & Recovery (Perth) P/L	Confidential Waste Paper - May 2020	\$52.04
26/06/2020	EFT-01956	Veris Australia Pty Ltd	Underground Survey Phase 2	\$10,439.00
26/06/2020	EFT-01956	Veris Australia Pty Ltd	Underground Services Survey and Mapping	\$18,551.50
26/06/2020	EFT-01956	Western Tree Recyclers	Recycling green waste for Joondalup - 313.88t	\$11,739.11
26/06/2020	EFT-01956	Western Tree Recyclers	Recycling of Green Waste for Perth - 17.94 t	\$868.30
26/06/2020	EFT-01956	Western Tree Recyclers	Recycling of green waste - 395.91 t	\$14,807.03
26/06/2020	EFT-01956	Winc Australia P/L	Replacement Printer for Old Admin building	\$980.09
26/06/2020	EFT-01957	Telstra	Internet charges May 2020	\$1,789.02
26/06/2020	EFT-01957	Telstra	Mobile - May 2020	\$656.40
30/06/2020	EFT-01958	Albert Jacob	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	David Boothman	Member LG Allowances (Chairman, Deputy)	\$6,010.00
30/06/2020	EFT-01958	David Boothman (SMSF acc)	Member Meeting Fees	\$12,000.00
30/06/2020	EFT-01958	Dot Newton	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	Emma Cole	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	Joe Ferrante	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	Keith Sargent	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	Keri Shannon	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01958	Russ Fishwick	Member Meeting Fees	\$8,096.50
30/06/2020	EFT-01958	Stephanie Proud	Member Meeting Fees	\$5,650.00
30/06/2020	EFT-01959	A & G Wines Plumbing	Relocate sink in recycling area	\$357.78
30/06/2020	EFT-01959	Bunnings	Storage crates & lids - Enviro Dept	\$273.15
30/06/2020	EFT-01959	Central Fire Services P/L	Defect Repair - HHW Fire System	\$880.00
30/06/2020	EFT-01959	Central Fire Services P/L	Monthly maintainence & test Fire System	\$78.83
30/06/2020	EFT-01959	City of Joondalup	TP Lease - July 2020 - Joondalup	\$11,297.17
30/06/2020	EFT-01959	City of Perth	TP Lease - July 2020 - Perth	\$5,576.52
30/06/2020	EFT-01959	City of Stirling	TP Lease - June 2020 - Stirling	\$22,054.14
30/06/2020	EFT-01959	City of Stirling	TP Lease - May 2020 - Stirling	\$22,054.14
30/06/2020	EFT-01959	City of Stirling	TP Lease - CPI increase - Stirling - Jan-Jun2020	\$2,117.22
30/06/2020	EFT-01959	Gavin Burgess	Community Battery Collections - May 2020	\$5,354.80
30/06/2020	EFT-01959	GCM Enviro Pty Ltd	Plt107 steering ram	\$4,513.09
30/06/2020	EFT-01959	IW Projects	Prep, attendance @ PAG meeting Feb 2020	\$7,175.85
30/06/2020	EFT-01959	Magicorp Pty Ltd	Subscriptions for On Hold Messages	\$49.50
30/06/2020	EFT-01959	Neverfail Springwater Ltd	Bottled water - 6 x 15l	\$46.80
30/06/2020	EFT-01959	Riley Mathewson Public Relations	MAR Services	\$1,658.57
30/06/2020	EFT-01959	SafeWork Laboratories Pty Ltd	D&A testing on site 17/05/2020	\$636.46
30/06/2020	EFT-01959	Staff Australia	Staff Asssistance - 2 people/30 hours	\$1,169.25
30/06/2020	EFT-01959	Starzone Holdings Pty Ltd	Plt119 - battery charging and 2 way repairs	\$616.00
30/06/2020	EFT-01959	The Northern Guide	Desk Pad - TP advert	\$324.50

**Schedule of Payments for June 2020
Council Meeting - 24th September 2020**

Cheque Posting Date	Document No.	Vendor Name	Description	Amount
30/06/2020	EFT-01959	Town of Cambridge	TP Lease - July 2020 Cambridge	\$5,513.54
30/06/2020	EFT-01959	WA Local Government Association	Walga Training Local Laws	\$215.00

Total EFT Payments

\$3,897,898.59

CBA Cheque No. 757 - 764	\$24,882.52
Electronic Payments:	
DP- 01818 to DP- 01827	\$260,678.02
Inter-Account Transfers	\$2,000,000.00
EFT- 01944 to EFT- 01959	\$3,897,898.59
Grand Total	\$6,183,459.13

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 24 September 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 June 2020
Council Meeting - 24th September 2020

Date	Payment to	Description	Amount
29-May-20	ASIC Sydney	New Vendor Report	\$34.00
30-May-20	IStock Images	Subscription 1 year	\$382.80
31-May-20	Apple App	QR Code Premium for HHW Bar code capture	\$62.99
2-Jun-20	Moore Stephans	Financial Reporting Workshop	\$1,782.00
3-Jun-20	ASIC Sydney	New Vendor Report	\$17.00
3-Jun-20	Workwear Hub	Staff PPE - Boots	\$159.95
7-Jun-20	Moore River Roadhouse	Fuel Plt128	\$51.62
7-Jun-20	Bird Control Australia	Ultrasonic Outdoor Pest Repellent	\$411.70
8-Jun-20	Telstra	1 year Recharge Sim Card - Chemcapture Ipad	\$150.00
9-Jun-20	ASIC Sydney	New Vendor Report	\$34.00
9-Jun-20	Who Gives a Crap	Toilet Paper	\$240.00
10-Jun-20	Flora Fauna	Waste minimisation products for Demonstrations	\$420.15
10-Jun-20	Urban Revolution	Waste minimisation products for Demonstrations	\$170.35
10-Jun-20	Go Green at Home	Waste minimisation products for Demonstrations	\$480.00
10-Jun-20	Re Bag It	Handmade Vegetable bags for Demonstrations	\$270.00
16-Jun-20	Raine Square	Meeting Parking	\$28.00
17-Jun-20	Easy Pest Supplies	Aminal Repellent 2 x 4kg containers	\$609.85
17-Jun-20	Governance Institute	Governance Training Course	\$2,975.00
18-Jun-20	HLAF	Meeting Hospitality	\$8.50
19-Jun-20	San Churro	Meeting Hospitality	\$29.10
19-Jun-20	Wilson Parking	Meeting Parking	\$21.26
19-Jun-20	City of Joondalup	Meeting Parking	\$4.00
21-Jun-20	Coles	Staff Amenities	\$88.60
24-Jun-20	ASIC Sydney	New Vendor Report	\$51.00
29-Jun-20	Qantas Airways	Refund on Flights due to Covid	-\$1,512.24
Total CBA Credit Card - 29 May - 26 June 2020			\$6,969.63

**Proposed Amended Mindarie Regional Council Waste Facility Site Local Law
2020**

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 (*date TBC*) to make the following local law.

1. 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

The *Mindarie Regional Council Waste Facility Site Local Law 2013*, as published in the *Government Gazette* on 7 March 2013, is referred to as the principal local law. The principal local law is amended.

4. Clause 4 amended

In Clause 4 amended as follows –

Inserted “**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”.

5. Clause 5 amended

In Clause 5 is amended as follows –

Removed “Lot 9504 on Plan 52070”.

Inserted “Parcel 39285 = Part Lot 9026 on Deposit Plan 415564 as known on certificate of title 2971/931”.

Removed “Mindarie”.

Inserted “Tamala Park”.

5. Clause 7 amended

In Clause 7 amended as follows –

Removed “thinks”.

Inserted “considers”.

6. Clause 13 amended

In Clause 13 amended as follows –

Removed item 3 “1” and “2” inserted “a” and “b”,

Removed “around” and “near”.

7. Clause 15 amended

In Clause 15 is amended as follows –

Inserted “culture heritage” “(d) intentionally disturb and/or remove cultural significant artefacts from the site”.

8. Clause 16 amended

In Clause 16 is amended as follows –

Inserted “Environmental spill” “discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air

9. Clause 21 amended

In Clause 21 amended as follows –

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

10. Clause 23 amended

In Clause 23 amended as follows –

Inserted “food gathering” *“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”* (3) “A person must not gather food on the site without written authorisation”.

11. Clause 25 amended

In Clause 25 amended as follows –

Inserted “Hours of operation

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

12. Clause 26 amended

In Clause 26 amended as follows –

Inserted “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”.

13. Clause 27 amended

In Clause 27 amended as follows –

Insert “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”.

14. Schedule 1 amended

Removed Schedule 1 and insert as follows:

Item Number.	Clause No.	Nature of offence	Modified Penalties \$
1	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.	400
2	8	Enter the site other than through an entrance without permission.	400
3	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.	200
4	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.	200
5	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.	200
6	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.	200
7	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 ACROD sticker is displayed in a prominent position on the vehicle.	200
8	13(2)	Damage, destroy or take away flora without permission.	400
9	14(2)	Injure, take, or interfere with any fauna without permission.	400
10	15(d)	Damage, destroy or take cultural sensitive items	400
11	16(1)	Deposit litter other than in a litter receptacle.	200
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.	200 + clean-up costs
13	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	200
14	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	200
15	21	Light a fire (minor impact, managed on site) or use a gas	400

		barbecue or other cooker without permission.	
16	21	Light a fire – (significant impact e.g. call of DFES)	400
17	24(1)	Disturb or remove property from the site without permission.	400
18	26(1) (2)	Fail to comply with a sign or direction	400
19	27(1) (2)	Disposing waste without payment of fee or charge	400
20	26(1) (2)	Depositing waste contrary to sign or direction	400

Dated: (TBC)

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

Cr David Boothman, Chairman

Mr Gunther Hoppe, Chief Executive Officer

Local Government Act 1995

Mindarie Regional Council

Waste Facility Local Law 2020

ARRANGEMENT

Part 1 — Preliminary

1. Title Citation
2. Commencement
3. Repeal
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/food gathering
24. Unauthorised removal of property

Part 6—Waste Disposal Services

25. Hours of operation
26. Depositing Waste
27. Fees and charges

Part 7—Enforcement

28. Offences
29. Prescribed offences

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) 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. 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.

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 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—Waste Disposal Services**25. Hours of operation**

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

26. 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.

27. 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.

Part 7—Enforcement

28. 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 \$200, for each day or part of a day during which the offence has continued.

29. 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.
-

Schedule 1**Prescribed Offences**

[clause 28]

Modified Penalties

Item Number.	Clause No.	Nature of offence	Modified Penalties \$
1	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.	400
2	8	Enter the site other than through an entrance without permission.	400
3	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.	200
4	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.	200
5	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.	200
6	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.	200
7	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 ACROD sticker is displayed in a prominent position on the vehicle.	200
8	13(2)	Damage, destroy or take away flora without permission.	400
9	14(2)	Injure, take, or interfere with any fauna without permission.	400
10	15(d)	Damage, destroy or take cultural sensitive items	400
11	16(1)	Deposit litter other than in a litter receptacle.	200
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.	200 + clean-up costs
13	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	200
14	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	200
15	21	Light a fire (minor impact, managed on site) or use a gas barbecue or other cooker without permission.	400
16	21	Light a fire – (significant impact e.g. call of DFES)	400
17	24(1)	Disturb or remove property from the site without permission.	400
18	26(1) (2)	Fail to comply with a sign or direction	400

19	27(1) (2)	Disposing waste without payment of fee or charge	400
20	26(1) (2)	Depositing waste contrary to sign or direction	400

Dated **to be confirmed**

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

Item
9.4

APPENDIX 7

Item
9.4

Attachment 2.

SUMMARY PURPOSE AND EFFECT

MINDARIE REGIONAL COUNCIL WASTE FACILITY SITE LOCAL LAW 2020	
Purpose:	To provide the Mindarie Regional Council (MRC) with a contemporary Local Law that governs activities at the Tamala Park waste facility.
Effect:	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.
Clause 4. Definitions	
Purpose:	To define the meaning of Contamination in relation to waste management.
Effect:	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.
Clause 5. Site	
Purpose:	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.
Effect:	The Local Law site description aligns with the Department of Planning, Lands and Heritage.
Clause 15. Protection of rocks, soil, culture heritage etc.	
Purpose:	To protect artefacts on the Tamala Park site and provide for an appropriate penalty in the event of an offence.
Effect:	A person must not, without written authorisation intentionally disturb and or remove cultural significant artefacts from the site.
Clause 16. Litter / Environmental spill	
Purpose:	To protect the environment from environmental spills on the Tamala Park site and provide for an appropriate penalty in the event of an offence.
Effect:	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.
Clause 21. Lighting fires etc.	
Purpose:	To protect the bushland at the Tamala Park site and provide for an appropriate penalty in the event of an offence.
Effect:	Any person found lighting fires under this Local Law is liable, upon conviction, to a penalty – not exceeding \$1000.

Clause 23. Camping / food gathering	
Purpose:	To protect the endemic flora on the Tamala Park site from food gathering, to define food gathering and provide for an appropriate penalty in the event of an offence.
Effect:	A person must not gather food on the Tamala Park site without written authorisation.
Clause 25. Hours of operation	
Purpose:	To reflect the current operating environment and provide flexibility in the event a change to operating hours is required.
Effect:	The MRC may from time to time determine the hours of operation of the Tamala Park waste facility.
Clause 26. Depositing Waste	
Purpose:	To enable the MRC to classify waste and the location of deposits, and provide for an appropriate penalty in the event of an offence.
Effect:	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.
Clause 27. Fees and charges	
Purpose:	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.
Effect:	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. 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.
Schedule 1. Prescribed Offences	
Purpose:	To reflect the current changes to the MRC Waste Facility Local Law 2020 and update the modified penalties.
Effect:	To provide for a suitable penalties in the event of an offence.

**Proposed Amended Mindarie Regional Council Waste Facility Site Local Law
2020**

Tracked Changes

Item
9.4

APPENDIX 8

Item
9.4

LOCAL GOVERNMENT ACT 1995
MINDARIE REGIONAL COUNCIL
WASTE FACILITY SITE AMENDMENT LOCAL LAW 2013

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on 7 March, 2013 to make the following local law.

1. Citation

This local law may be cited as the *Mindarie Regional Council Waste Facility Site Amendment Local Law 2013*.

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

The *Mindarie Regional Council Waste Facility Site Local Law 2012*, as published in the *Government Gazette* on 11 May 2012, is referred to as the principal local law. The principal local law is amended.

4. Clause 16 amended

In Clause 16 delete subclause (1) and renumber the remaining subclauses accordingly.

5. Clause 18 amended

Clause 18 is amended as follows -

- (a) in Clause 18 delete "(1)" at the start of the paragraph; and
- (b) in Clause 18 insert "or" after the semi colon at the end of subparagraph (b).

6. Clause 22 amended

In Clause 22 after "on the site" insert ".".

7. Clause 23 amended

Clause 23 is amended as follows -

- (a) in subclause (1) delete "*camping*" and insert "*camp*"; and
- (b) in subclause (2) after "on the site" insert "without".

8. Schedule 1 amended

Delete Schedule 1 and insert as follows:

Schedule 1
Prescribed Offences
 [clause 26]
Modified Penalties

Item Number.	Clause No.	Nature of offence	Modified Penalties \$
1	7	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.	200
2	8	Enter the site other than through an entrance without permission.	200
3	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.	100
4	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.	100
5	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.	100
6	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.	100
7	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 ACROD sticker is displayed in a prominent position on the vehicle.	100
8	13(2)	Damage, destroy or take away flora without permission.	200
9	14(2)	Injure, take, or interfere with any fauna without permission.	200
10	16(2)	Deposit litter other than in a litter receptacle.	100
11	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	100
12	20(b)	Paint, mark or deface any structure, object or natural surface on the site without permission.	100
13	21	Light a fire or use a gas barbecue or other cooker without permission.	200
14	24(1)	Disturb or remove property from the site without permission.	200


Dated: 7 March, 2013

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



Cr Russ Fishwick, Chairman





Mr Brian Callander, Chief Executive Officer

Local Government Act 1995
Mindarie Regional Council
Waste Facility Local Law ~~2013~~2020

ARRANGEMENT

Part 1 — Preliminary

1. Title Citation
2. Commencement
3. Repeal
4. Interpretations used in this ~~local~~ 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/food gathering
24. Unauthorised removal of property

Part 6—Waste Disposal Services

25. Hours of operation
26. Depositing Waste
27. Fees and charges

Part 7—Enforcement

28. Offences
29. Prescribed offences

Schedule 1 - Prescribed Offences

Local Government Act 1995

Mindarie Regional Council

Waste Facility Site Local Law ~~2013~~ 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 ~~7 March 2013~~ (to be confirmed) 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 ~~2013~~ 2020*.

2. Commencement

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

3. 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~~ Local law 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.

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 ~~a~~ 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)~~(a) _____

~~(e)~~(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 ~~Lot 9504 on Plan 52070~~ Parcel 39285 = Part Lot 9026 on Deposited Plan 415564 as shown on certificate of title 2971/931 known as 1700 Marmion Avenue, ~~Mindarie~~ 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 ~~thinks~~ 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 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) ~~(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) ~~(3)~~ A person must not, without written authorisation, intentionally remove any stake-supporting label on or near;
 - ~~(a)~~ protective fencing;
 - ~~(b)(a)~~ around or near; or
 - ~~(c)(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.
- ~~(3)(2)~~ A person must not, without written authorisation under any other written law, injure, take, or interfere with any fauna on the site.
- ~~(4)(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.

~~(5)~~(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.

~~(6)~~(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; ~~or~~
- (c) intentionally otherwise damage or interfere with the natural surface of the site; or-
- ~~(e)~~(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; ~~or~~
- (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-
- ~~(b)~~(c) discharge liquids/ rubbish to the environment that cause, or are known to cause contamination to the soil, water and/or air

~~(3)~~(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~~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.

(b)

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

~~(2)~~(3) A person must not gather food on the site without written authorisation

24. Unauthorised removal of property

(1) ~~———— (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—Waste Disposal Services**25. Hours of operation**

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

26. 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.

27. 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.

Part ~~67~~—Enforcement**~~258~~. Offences**

- ~~(2)~~(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.
- ~~(3)~~(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~~200, for each day or part of a day during which the offence has continued.

~~269~~. Prescribed offences

- ~~(2)~~(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.
 - ~~(3)~~(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
-

Schedule 1

Prescribed Offences

[clause 268]

Modified Penalties

Item Number.	Clause No.	Nature of offence	Modified Penalties \$
1	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.	200 <u>400</u>
2	8	Enter the site other than through an entrance without permission.	200 <u>400</u>
3	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.	400 <u>200</u>
4	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.	400 <u>200</u>
5	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.	400 <u>200</u>
6	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.	400 <u>200</u>
7	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 ACROD sticker is displayed in a prominent position on the vehicle.	400 <u>200</u>
8	13(2)	Damage, destroy or take away flora without permission.	200 <u>400</u>
9	14(2)	Injure, take, or interfere with any fauna without permission.	200 <u>400</u>
10	15(d)	Damage, destroy or take cultural sensitive items	400
11 <u>10</u>	16(1)	Deposit litter other than in a litter receptacle.	400 <u>200</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.	200 + clean-up costs
13 <u>14</u>	20(a)	Place any notice, advertisement or document on any structure, object or natural surface on the site without permission	400 <u>200</u>
12 <u>4</u>	20(b)	Paint, mark or deface any structure, object or natural surface on	400 <u>200</u>

		the site without permission.	
153	21	Light a fire <u>(minor impact, managed on site)</u> or use a gas barbecue or other cooker without permission.	200 <u>400</u>
16	21	<u>Light a fire – (significant impact e.g. call of DFES)</u>	<u>400</u>
174	24(1)	Disturb or remove property from the site without permission.	<u>400</u>
18	26(1) (2)	<u>Fail to comply with a sign or direction</u>	<u>400</u>
19	27(1) (2)	<u>Disposing waste without payment of fee or charge</u>	<u>400</u>
20	26(1) (2)	<u>Depositing waste contrary to sign or direction</u>	<u>400</u>

Dated ~~7 March 2013~~ to be confirmed

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

 David Boothman
~~Chairman~~ Chairperson

 Günther Hoppe
 Chief Executive Officer

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

Item
9.5

APPENDIX 9

Item
9.5

WESTERN AUSTRALIA

Local Government Act 1995

MINDARIE REGIONAL COUNCIL
Meeting Procedures Local Law 2020

ARRANGEMENT

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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 (to be confirmed) 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.

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
 - (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 7.10 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 two 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

- (1) Any person or group wishing to be received as a deputation by the Council 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 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.
- (3) Unless the Council resolves otherwise, a deputation invited to attend a Council meeting:
 - (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 may be allowed to speak with the leave of the Presiding Member.
- (4) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

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. 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. 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.

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:
 - (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:
 - (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:
 - (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.

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.
- (4) 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) 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 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**

[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*

Comparison Table

Item 9.5	APPENDIX 10	Item 9.5
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Appendix 12 – Comparison table

OLD STANDING ORDERS			NEW LOCAL LAW		
Clause	Detail	Page	Clause	Detail	Page
1	Citation	0	1.1	Citation	5
2	Commencement	0	1.2	Commencement	5
3	Local law amended	0	1.5	Repeal	6
1.1	Title	3	1.1	Citation	5
1.2	Commencement	3	1.2	Commencement	5
1.3	Purpose and effect	3	1.3	Application and intent	5
1.4	Repeal	3	1.5	Repeal	6
1.5	Terms used in this local law	3	1.4	Interpretation	5
2.1	Calling of meetings	4	3.2	Calling Council Meetings	8
			3.3	Convening of Council Meetings	8
			3.4	Calling committee meetings	8
2.2	Notice of meeting and notice of adjournment	5	3.5	Public notice of meetings	8
2.3	Public access to agendas and supporting information	5	6.14	Public inspection of agenda materials	17
2.4	Public access to unconfirmed minutes of meetings	5	13.3	Public inspection of unconfirmed minutes	31
2.5	Quorum for meetings	5	4.8	Quorum for meetings	9
2.6	Procedure if quorum not present	6	4.11	Procedure where no quorum to begin a meeting	9
2.7	Lapse of quorum	5	4.12	Procedure where quorum not present during a meeting	9
			4.13	Names to be recorded	9
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3.2	Disclosure of financial and proximity interests	8	11.1	Disclosure of interests	29
3.3	Disclosure of interest affecting impartiality	8	11.1	Disclosure of interests	29
3.4	Public question time	8	6.3	Question time for public	14
			6.4	Question time for the public at certain meetings	14
			6.5	Minimum question time for the public	14
			6.6	Procedures for question time for the public	14
			6.7	Other procedures for question time for the public	14

OLD STANDING ORDERS			NEW LOCAL LAW		
Clause	Detail	Page	Clause	Detail	Page
3.5	Announcements by the presiding person	8	5.2(4)	Order of business	10
3.6	Application for leave of absence from meeting	8	5.2(5) 5.2(6)	Order of business Order of business	11 11
3.7	Petitions	8	6.10	Petitions	16
3.8	Deputations to meetings	9	6.9	Deputations	15
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3.11	Identification of matter for which the meeting may meet behind closed doors	10	6.15(1)	Confidentiality of information withheld	17
3.12	Reports of the CEO	10	5.3	Reports of the CEO	11
3.13	Motions of which previous notice has been given	10	5.4	Motions of which previous notice has been given	11
3.14	Questions by member of which due notice has been given	11	5.6	Questions by Members of which due notice has been given	12
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4.1	Official titles to be used	13	7.3	Titles to be used	19
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4.5	Order of speakers	13	7.6	Priority of speaking	19
4.6	Members not to interrupt	13	7.12	No interruption	20
4.7	No member to cross the floor	13	12.1(2) 12.1(3)	Motion – when put	29
4.8	Presiding person may participate in discussion	13	7.7	Presiding Member may take part in debates	19
4.9	Relevance to debate	14	7.8	Relevance	19
4.10	Personal explanation	14	7.14	Personal explanations	20
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4.12	Point of order	14	8.2	Point of order	22
4.13	Preservation of order - members	15	8.1	Presiding Member to preserve order	22
4.14	Preservation of order – members of the public	15	6.18	Prevention of disturbance	18
4.15	Serious disorder	15	8.7	Right of Presiding Member to adjourn	23
5.1	Recommendations in reports	16	9.1	Motions to be stated and in writing	24

OLD STANDING ORDERS			NEW LOCAL LAW		
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5.3	Motions	16	9.1	Motions to be stated in writing	24
			9.4(c)	Only one primary motion at a time	25
5.4	No opposition to motions	16	9.3	Unopposed business	24
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5.6	Withdrawing motions	17	9.15	Withdrawal of motion or amendment	26
5.7	Only one motion at a time	17	9.4	Only one primary motion at a time	24
5.8	Limitations on members speaking	17	7.9	Speaking twice	20
			7.10	Duration of speeches	20
			7.11	No speaking after conclusion of debate	20
5.9	Questions during debate	17	7.9(2)	Speaking twice	20
5.10	Amendments	18	9.8	Consent of the seconder required for alteration	25
			9.9	Order of amendments	25
			9.10	Form of an amendment	25
			9.11	Amendment must not negate original motion	25
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			9.13	Mover of motion may speak on amendment	25
			9.14	Effect of an amendment	25
6.1	Terms used	19	15.1	Requirements to revoke or change decisions	32
6.2	Requirements for support	19	15.1	Requirements to revoke or change decisions	32
6.3	Application of this part	19		<i>not reproduced</i>	
6.4	Procedure for moving a revocation motion	19	15.2	Procedure for moving a revocation motion	32
6.5	Implementation of a decision the subject of a revocation motion	20	15.4	Implementing a decision	32
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OLD STANDING ORDERS			NEW LOCAL LAW		
Clause	Detail	Page	Clause	Detail	Page
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7.2	No debate on procedural motions	22	10.2	No debate	27
7.3	Procedural motions – closing debate – who may move	22	10.3	Who may move	27
7.4	Procedural motions – right of reply on primary motion	22	10.4	Procedural motions – right of reply on primary motion	27
7.5	The motion be deferred – effect of motion	23	10.7	Motion be deferred	28
7.6	The meeting do not adjourn – effect of motion	23	10.6	Meeting now adjourn	28
7.7	The motion be now put – effect of motion	23	10.8	Motion to be put	28
7.8	Meeting be now closed – effect of motion	23	10.12	The meeting be now closed	29
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8.1	No adverse reflection	25	7.15	Adverse reflection	21
8.2	Withdrawal of offensive language	25	7.16	Withdrawal of offensive language	21
8.3	No participation in public question time	25	6.7(12)	Other procedures for question time for the public	14
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Mindarie Regional Council
Standing Orders Amendment Local Law 2013

Item
9.5

APPENDIX 11

Item
9.5

LOCAL GOVERNMENT ACT 1995
MINDARIE REGIONAL COUNCIL
STANDING ORDERS AMENDMENT LOCAL LAW 2013

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on 4 July, 2013 to make the following Local Law.

1. Citation

This local law may be cited as the *Mindarie Regional Council Standing Orders Amendment Local Law 2013*.

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

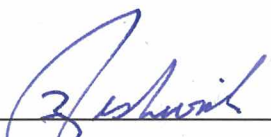
The *Mindarie Regional Council Standing Orders Local Law 2010*, as published in the *Government Gazette* on 29 July 2011, is referred to as the principal local law. The principal local law is amended.

4. Clause 5.9 amended


In clause 5.9 delete subclause 3.

Dated: 11 July 2013

The Common Seal of the Mindarie Regional Council was affixed in accordance with Council Policy CP02 Affixing of the Common Seal in the presence of :



Cr Russ Fishwick, Chairman



Mr Brian Callander, Chief Executive Officer



LOCAL GOVERNMENT ACT 1995
MINDARIE REGIONAL COUNCIL
STANDING ORDERS AMENDMENT LOCAL LAW 2012

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Mindarie Regional Council resolved on ~~xx~~ 23 ~~month~~, 2012 to make the following Local Law.

1. Citation

This local law may be cited as the *Mindarie Regional Council Standing Orders Amendment Local Law 2012*.

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

The *Mindarie Regional Council Standing Orders Local Law 2010*, as published in the *Government Gazette* on 29 July 2011, is referred to as the principal local law. The principal local law is amended.


4. Clause 5.9 amended

In clause 5.9 delete subclause 3.

Dated: 7 March 2012

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


 Acting Chairman


 Chief Executive Officer



Western Australia
Local Government Act 1995
Mindarie Regional Council
Standing Orders Local Law 2010

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- 9.2 Improper use of information
- 9.3 Application to committees
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SCHEDULE

PETITION TO THE MINDARIE REGIONAL COUNCIL OF ELECTORS OF THE PARTICIPANTS

Local Government Act 1995
Mindarie Regional Council
Mindarie Regional Council Standing Orders Local Law 2010

Under the powers conferred by the *Local Government Act 1995* and under all powers enabling it, the Council of the Mindarie Regional Council resolved on 7 July 2011 to make the following local law.

Part 1 - Preliminary

1.1 Title

This local law is the *Mindarie Regional Council Standing Orders Local Law 2010*.

1.2 Commencement

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

1.3 Purpose and effect

- (1) The purpose of this local law is to provide a set of procedures to assist in the good conduct of meetings of the Council.
- (2) This local law is intended to result in -
 - (a) better decision-making by the Council;
 - (b) orderly and efficient conduct of meetings dealing with Council business;
 - (c) greater community participation and understanding of the business of the Council; and
 - (d) more open and accountable local government.

1.4 Repeal

The *Mindarie Regional Council Standing Orders Local Law 2000* published in the *Government Gazette* on 12 March 2001 is repealed.

1.5 Terms used in this local law

- (1) In this local law, unless the contrary intention appears -

Act means the *Local Government Act 1995*;

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

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

Chairman means the member holding the office of chairman of the Mindarie

Regional Council;

Committee means a Committee of the Council established under the Act;

Council means the council of the Mindarie Regional Council;

meeting means a meeting of the Council;

member means a member of the Council;

presiding person means any person presiding at a meeting;

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

Rules of Conduct Regulations means the *Local Government (Rules of Conduct) Regulations 2007*

urgent business means any motion notice of which is dispensed with under clause 3.15.

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

Part 2 – Meetings of Council

2.1 Calling of meetings

The calling of meetings is dealt with in the Act.

2.2 Notice of meeting and notice of adjournment

- (1) The giving of notice of meetings of the Council is dealt with in the Act and the giving of public notice of meetings is dealt with in the Regulations.
- (2) How documents can be given to a person is dealt with in the Act and the *Interpretation Act 1984*.
- (3) When a meeting is adjourned to a day and hour other than the next ordinary meeting, notice of the resumption of the adjourned meeting, if time permits, is to be given to each member specifying the nature of the business to be transacted.

2.3 Public access to agendas and supporting information

Public access to agendas and supporting documentation is dealt with in the Regulations.

2.4 Public access to unconfirmed minutes of meetings

Public access to unconfirmed minutes of meetings is dealt with in the Regulations.

2.5 Quorum for meetings

The requirements for a quorum for a meeting are dealt with in the Act.

2.6 Procedure if quorum not present

The procedure where a quorum for a meeting is not present is dealt with in the Regulations.

2.7 Lapse of quorum

- (1) If at any time during any meeting a quorum is not present, the presiding person upon becoming aware of the fact is to suspend the proceedings of the meeting for a period of 15 minutes.
- (2) If a quorum is not present at the expiration of the 15 minutes suspension period the presiding person is to adjourn the meeting to a future time and date.
- (3) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment and be recorded in the minutes of the meeting.
- (4) Where the debate on any primary motion is interrupted at a meeting, which is adjourned due to lack of a quorum that debate is to be resumed at the resumption of the meeting at the point where it was interrupted.

- (5) The members who have spoken on the primary motion at the adjourned meeting must not speak again on resumption of that meeting, except the mover who retains the right of reply.
- (6) At any meeting where a quorum is not present or there is an adjournment due to the lack of a quorum the names of the members then present are to be recorded in the minute book.

2.8 Voting

Voting at meetings is dealt with in the Act and the Regulations.

Part 3 – Business at Meetings

3.1 Order of business

- (1) Unless the Council decides otherwise, the order of business at an ordinary meeting of the Council is to be as follows -
 - (a) declaration of opening/announcement of visitors;
 - (b) attendance -
attendance
apologies
leave of absence (previously approved);
 - (c) declaration of interests;
 - (d) public question time -
response to previous public questions taken on notice
public question time;
 - (e) announcements by the presiding person;
 - (f) applications for leave of absence;
 - (g) presentations -
petitions
deputations
presentations;
 - (h) confirmation of minutes of previous meetings;
 - (i) reports;
 - (j) motions of which previous notice has been given;
 - (k) urgent business;
 - (l) questions by members of which due notice has been given;
 - (m) confidential matters for which the meeting may be closed to the public;
 - (n) future meetings of council;
 - (o) closure.
- (2) The order of business at any special meeting of the Council is to be in the order in which it appears in the agenda, unless otherwise decided by the Council.
- (3) Unless otherwise decided by the Council, the items of business for a meeting of the Council are to be considered in the sequence that they are listed in the agenda.
- (4) At the resumption of an adjourned meeting the only business to be transacted is that which remains outstanding on the agenda of the adjourned meeting.

3.2 Disclosure of financial and proximity interests

The requirements for disclosure of any interest are dealt with in the Act.

3.3 Disclosure of interest affecting impartiality

The disclosure of interests affecting impartiality is dealt with by the Rules of Conduct Regulations.

3.4 Public question time

- (1) Public question time at meetings is dealt with in the Act and Regulations.
- (2) A member of the public wanting to ask a question during public question time must first state their name and address.
- (3) Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or a personal opinion.

3.5 Announcements by presiding person

- (1) At any meeting of the Council the presiding person may -
 - (a) announce or raise any matter of interest or affecting the Mindarie Regional Council; or a
 - (b) propose a change to the order of business.
- (2) Any member may move that a change in order of business proposed by the presiding person not be accepted and, if carried by a majority of the members present, the proposed change in order is not to take place.

3.6 Application for leave of absence from meeting

- (1) The requirement for members to obtain leave of absence from meetings of the Council is dealt with in the Act.
- (2) 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.

3.7 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;
 - (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) Once a petition is presented to the Council, a motion may be moved to receive the petition and refer it to the CEO for action.

3.8 Deputations to meetings

- (1) Any person or persons wishing to be received as a deputation by the Council, must in the first instance, give a request in writing to the CEO setting out in concise terms the matter to be raised by the deputation.
- (2) A request under subclause (1) must be given to the CEO at least 3 clear business days before the date of the meeting.
- (3) When the CEO receives a request for a deputation to the Council, the request is to be brought to the attention of the presiding person.
- (4) The presiding person is to -
 - (a) decide that a deputation is to be received and when it is to be received; or
 - (b) instruct the CEO to refer the request to the Council to decide whether or not to receive the deputation.
- (5) A deputation is not to exceed 5 persons in number. Only 3 of those persons may address the meeting but any of the persons may reply to a question from the Council. Each person addressing the Council is required to present new or additional information and not repeat previous comments made during the deputation.
- (6) Members of a deputation are collectively to have a maximum of 15 minutes to address the meeting, unless an extension of time is granted by the Council.
- (7) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

3.9 Presentations

- (1) If the CEO determines that it would be beneficial for a presentation to be made, with the agreement of the Chairman, 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 Chairman according to the particular case or circumstance.

3.10 Confirmation of minutes

The requirements for keeping minutes of meetings and the content of minutes are dealt with in the Act and the Regulations.

3.11 Identification of matters for which the meeting may meet behind closed doors

For the convenience of members of the public, the Council may by resolution, with reasons recorded in the minutes, identify those matters on the agenda that are to be discussed behind closed doors and defer those matters to be considered as the last reports at the meeting.

3.12 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.

3.13 Motions of which previous notice has been given

- (1) A member may raise at a meeting any business that the member considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) Subject to subclause (3) a notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 7 clear business days before the meeting at which it is to be moved.
- (3) The requirement to give notice of a motion under subclause (1) does not apply where the proposed motion is relevant to -
 - (a) a recommendation made by or contained in a report on the agenda; or
 - (b) a notice of motion that appears on the agenda,
 and is moved after the motion has been dealt with.
- (4) A notice of motion lapses unless the member who gave the notice or some other member authorised in writing by the member who gave the notice, moves the motion at the meeting at which it is to be considered.
- (5) Where a notice of motion is given and lapses in circumstances referred to under subclause (4), notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of the lapse.
- (6) A motion of which previous notice has been given is to relate to a purpose for which the Mindarie Regional Council is established.
- (7) A notice of motion of which the subject matter is does not relate to a purpose for which the Mindarie Regional Council is established, may be ruled out of order by the presiding person.
- (8) Where a notice of motion under subclause (1) contains any word or words which -

- (a) reflect adversely on the character or actions of a member, officer or other person; or
- (b) impute any motive to any member or officer; or
- (c) are offensive or insulting,

then the CEO -

- (i) after consultation with the Chairman, may reject the motion; or
 - (ii) after consultation with the member who submitted the motion, may amend the form but not the substance of the motion so as to delete the offensive or insulting word or words.
- (9) Where, prior to a meeting, a member has given notice of motion in accordance with this clause or a member has given notice of a revocation motion in accordance with clause 6.1 and -
- (a) the member is present at the meeting; the member must read the motion or revocation motion to the meeting; or
 - (b) the member is not present at the meeting; the CEO must read the motion or revocation motion to the meeting.

3.14 Questions by members of which due notice has been given

- (1) A question on notice is to be given by a member in writing to the CEO at least 4 working days before the meeting at which it is raised.
- (2) If the question referred to in subclause (1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at the meeting.
- (3) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon, unless with the consent of the presiding person.

3.15 Urgent business

The presiding person may dispense with the requirement to give notice under clause 3.13 where the presiding person is satisfied that -

- (a) the motion is a matter of urgency and the motion could not reasonably be dealt with at the next ordinary meeting of the Council; and
- (b) it was not reasonable for the notice to be given.

3.16 Meeting closure

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.

Part 4 – Conduct of Meetings

4.1 Official titles to be used

Members, when referring to others, must refer to them by their titles of Chairman, Deputy Chairman, Councillor, or in the case of an employee by the employee's title.

4.2 Seating

- (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 his or her allocated position at each Council meeting until the Council decides to reallocate positions.
- (3) The CEO is to sit beside the presiding person.

4.3 Distinguished visitor seating

If a distinguished visitor is present at a meeting of the Council, the presiding person may invite that person to sit beside the presiding person or at the meeting table.

4.4 Media attendance and seating

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.

4.5 Order of speakers

When 2 or more members indicate their desire to speak at the same time the presiding person is to decide who is entitled to priority.

4.6 Members not to interrupt

A member must not -

- (a) make any noise or disturbance or converse in a loud manner whilst any other member is addressing a meeting; or
- (b) cause any interruption or speak out of turn during a meeting, other than to raise a point of order, make a personal explanation or move a procedural motion.

4.7 No member to cross the floor

When the presiding person is putting any motion, a member must not cross the floor, and whilst any other member is speaking, must not pass between the speaker and the presiding person or pass behind the presiding person.

4.8 Presiding person may participate in discussion

- (1) The voting entitlement of a presiding person at a meeting is dealt with in the Act.

- (2) The presiding person may participate in the discussion of any motion before the meeting provided that the presiding person addresses the meeting before the right of reply is exercised.
- (3) The presiding person may move a motion without vacating the chair.

4.9 Relevance to debate

When addressing a meeting on any motion or other business, members must confine their remarks to the motion or other business and not digress.

4.10 Personal explanation

- (1) A member must not speak at any meeting, except on the matter then before the Council, unless it is to make a personal explanation.
- (2) A member wishing to make a personal explanation of matters referred to by any other member then speaking, is entitled to be heard -
 - (a) immediately if the member then speaking consents at the time; or
 - (b) at the conclusion of the speech if the member then speaking declines to give way.
- (3) A member of the Council permitted to make a personal explanation must confine comments to a succinct statement relating to a specific part of the former speech that may have been misunderstood and the member is not to refer to matters not strictly necessary for that purpose and is not to seek to strengthen his or her former argument by new matter or by replying to other members.

4.11 Ruling on questions of personal explanation

The ruling of the presiding person on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

4.12 Point of order

- (1) A member may direct the presiding person's attention to a breach of this local law by any other member and is to specify the grounds of the breach.
- (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) The presiding person is to decide all points of order, unless in any particular case, the Council then resolves that a different ruling is to be substituted for the ruling given by the presiding person.
- (4) A motion, amendment or other business ruled to be out of order, is to be no longer discussed and requires no resolution.
- (5) Where anything said or done by a member is ruled out of order, the presiding person may require the member to make an explanation, retraction or apology as the case may be.

4.13 Preservation of order – members

- (1) The presiding person is to preserve order at all times and may call any member to order whenever, in the presiding person's opinion, there is cause to do so.
- (2) Any member who acts in breach of this clause may be ruled by the presiding person to be out of order.
- (3) Where a member persists in any conduct which the presiding person deems is out of order, or refuses to make any explanation, retraction or apology required by the presiding person, then the presiding person may direct the member to refrain from taking any further part in the item under discussion, other than by recording the member's vote and the member must comply with that direction.

4.14 Preservation of order – members of the public

- (1) Any member of the public addressing the Council is to extend due courtesy and respect to the Council and the processes under which it operates and must take direction from the presiding person whenever called upon to do so.
- (2) A person observing a meeting, must 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.
- (3) Where a person is considered by the presiding person or the Council to be in breach of subclauses (1) or (2) the presiding person or the Council may direct the offending person to leave the meeting room and the person must immediately comply with that direction.
- (4) A person failing to comply with a direction given under subclauses (1) or (3) may, by order of the presiding person, be removed by the police from the meeting room.

4.15 Serious disorder

- (1) If the presiding person is of the opinion that by reason of serious disorder or otherwise, the business of the meeting cannot effectively be continued, the presiding person may adjourn the meeting for a period of not less than 5 minutes but no more than 15 minutes.
- (2) If, having once adjourned the meeting, the presiding person is again of the opinion that the business of the meeting cannot effectively be continued the presiding person may adjourn the meeting to another date.

Part 5 – Motions and Amendments

5.1 Recommendations in reports

- (1) Where a motion, if carried, would be significantly different from the relevant written recommendation of an employee (but not a motion to only note the matter or to return the recommendation for further consideration), the motion is to include the reasons for the motion.
- (2) The requirements for recording in the minutes of a meeting, written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of or an employee are dealt with in the Regulations.
- (3) A recommendation made by or contained in a report may, but need not be, moved. In the event of a recommendation not being moved the CEO shall refer the matter to the next meeting of the Council.
- (4) A motion may be moved that a recommendation made by or contained in a report be referred back for further consideration.

5.2 Adoption of recommendations en bloc

A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations or several reports, without amendment or qualification after having first identified those recommendations, if any -

- (a) which require adoption by absolute or special majority vote,
- (b) in respect of which there is a disclosure of interest;
- (c) which any member has indicated the member wishes to debate; and
- (d) in respect of which any member has indicated the wish to ask a question or to raise a point of clarification,

and, each of those recommendations referred to in paragraphs (a), (b), (c) and (d) are to be considered separately.

5.3 Motions

- (1) A member proposing a primary motion or amendment must state its substance before addressing the meeting and if so required by the presiding person must put the motion or amendment in writing.
- (2) The presiding person or the meeting, by resolution, may require a complicated motion to be divided into 2 or more motions.

5.4 No opposition to motions

- (1) On a motion being moved and seconded, the presiding person may then ask the meeting if any member opposes it.

- (2) If no member signifies opposition to the motion the presiding person may then take the vote without debate.
- (3) If a member signifies opposition to a motion, the motion shall be dealt with according to this local law.

5.5 Motions to be seconded

- (1) Subject to subclause (2) a motion or amendment is not to be discussed or put to the vote unless 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.

5.6 Withdrawing motions

A motion or amendment may be withdrawn by the mover, with the consent of the Council, and no member is to speak on it after it has been withdrawn.

5.7 One motion at a time

Only one motion is to be debated at any one time.

5.8 Limitation on members speaking

- (1) Only the mover of a motion or an amendment may speak twice on the same motion or the same amendment.
- (2) The mover of a motion or an amendment -
 - (a) is to speak to that motion or amendment first, after it has been seconded; and
 - (b) has the right of reply and in exercising that right is to confine the reply to previous speakers' comments and not introduce any new matters.
- (3) A member must not speak on any motion or an amendment after the mover has replied.
- (4) A member may only speak on a motion or an amendment, or reply, for a period of 5 minutes, unless an extension of time is granted by the Council by simple majority without debate, but is not to exceed 10 minutes in total.
- (5) The Council may suspend the operation of this clause during debate on a motion.

5.9 Questions during debate

- (1) Subject to clause 5.8, a member may ask a question at any time during the debate on a motion or an amendment before the mover of the motion or amendment has replied.

- (2) A member who asks one or more questions will not be taken to have spoken on the matter.
- (3) Where the presiding person considers a question asked is not succinct and to the point, but is prefaced by comment or other information, the presiding person may rule that the member has spoken on the matter and, in that event, the member must not speak again on the matter.

5.10 Amendments

- (1) A member may move an amendment to a primary motion, at any time during debate on the motion, except -
 - (a) when the mover has been called by the presiding person to exercise the right of reply; or
 - (b) during consideration of a procedural motion.
- (2) Every amendment is to be relevant and not negate the motion in respect of which it is moved.
- (3) An amendment to a motion is to take only one of the following forms -
 - (a) that certain words be omitted;
 - (b) that certain words be omitted and others substituted or added; or
 - (c) that certain words be added.
- (4) (a) Only one amendment is to be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the primary motion is put to the vote.
 - (b) Where an amendment is carried, one further successful amendment to the primary motion, as amended, and no more, may be carried.
- (5) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate and subject only to subclause (4), to be treated as a primary motion.

Part 6 – Revocation Motions

6.1 Terms used in this Part

In this Part -

- (a) ***relevant meeting***, where used in relation to a revocation motion, means -
 - (i) the ordinary or special meeting specified in the notice of the revocation motion; or
 - (ii) if that meeting is adjourned before the motion is announced by the presiding person, then at the resumption of the adjourned meeting; or
 - (iii) if that meeting is closed before the motion is announced by the presiding person, then at the next ordinary meeting or a special meeting convened to consider those matters not considered prior to the closure of the meeting; or
 - (iv) if the motion is deferred by the Council to another meeting of the Council, then at that other meeting,

as the case may be;
- (b) ***revocation motion*** means a motion to revoke or change a decision made at a Council meeting.

6.2 Requirements for support

The requirements for support of a motion for revocation or change of a Council decision are dealt with in the Act and Regulations.

6.3 Application of this Part

This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

6.4 Procedure for moving a revocation motion

- (1) A member wishing to move a revocation motion at a meeting of the Council must give to the CEO notice of the revocation motion, which is to -
 - (a) be in writing;
 - (b) specify the decision proposed to be revoked or changed;
 - (c) include a reason or reasons for the revocation motion;
 - (d) be signed by the number of members required by law to support the motion to revoke or change the decision referred to in the revocation motion;

- (e) specify the date of the ordinary or special meeting of the Council, as the case may be, which next follows the expiry of 7 clear days after the notice is given to the CEO;
 - (f) be given to the CEO not less than 7 clear days prior to the date of the ordinary or special meeting specified in the notice.
- (2) (a) If, at the relevant meeting, the member who gave the notice of the revocation motion is present, then the presiding person is to call on that member to move the revocation motion.
- (b) If that member is not present or, being present, does not move the revocation motion when called upon to do so by the presiding person, then notwithstanding clause 3.13 any member of the Council may move the revocation motion.

6.5 Implementation of a decision the subject of a revocation motion

Where notice of a revocation motion is given in accordance with the requirements of this clause, then the CEO must not implement or continue to implement, the decision the subject of the revocation motion until -

- (a) the revocation motion is not supported by the number of members of the Council required by law to support the motion;
- (b) no member of the Council moves the revocation motion;
- (c) the motion is moved but not seconded; or
- (d) the motion is moved and seconded but is not made by the kind of majority required by law,

at the relevant meeting.

6.6 Lapse of notice of revocation motion

A notice of revocation motion given in accordance with the requirements of this clause is to lapse when -

- (a) the revocation motion is not supported by the number of members of the Council required by law to support the motion;
- (b) no member of the Council moves the revocation motion;
- (c) the motion is moved but not seconded; or
- (d) the motion is moved and seconded but is not made by the kind of majority required by law,

at the relevant meeting.

6.7 Application of certain clauses

- (1) Subclauses (1), (2), (3), (4), (5) and (6) of clause 3.13 do not apply where the motion is a revocation motion.
- (2) For the avoidance of doubt, subclauses (7), (8) and (9) of clause 3.13 are to apply where the motion is a revocation motion.

6.8 Deferral of a revocation motion

A motion that a revocation motion be deferred is only to be carried by the decision of an absolute majority.

Part 7 – Procedural Motions

7.1 Permissible procedural motions

In addition to proposing a properly worded amendment to a primary motion, a member may, at the conclusion of a speech of any other member or on the conclusion of any business, move any of the following procedural motions without notice, and if seconded, the procedural motion is to be dealt with immediately -

- (a) that the motion be deferred;
- (b) that the meeting do now adjourn;
- (c) that the motion be now put;
- (d) that the meeting be now closed;
- (e) that the Council meet behind closed doors;
- (f) that the ruling by the presiding person be disagreed with;
- (g) that the operation of clause 5.8 (Limitation on members speaking) be suspended.

7.2 No debate on procedural motions

- (1) The mover of a motion referred to in each of paragraphs (a), (b), (d) and (f) of clause 7.1 may speak to the motion for not more than 5 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 referred to in paragraph (c) of clause 7.1 must not speak to the motion, the seconder must not speak other than to formally second the motion, and there is to be no debate on the motion.

7.3 Procedural motions – closing debate – who may move

- (1) No person who has moved, seconded, or spoken for or against the primary motion or any amendment may move any procedural motion which, if carried, would close the debate on the primary motion or amendment.
- (2) At the same meeting, a member must not move more than one procedural motion, except a motion referred to in paragraph (a), (e) or (f) of clause 7.1.

7.4 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.

7.5 The motion be deferred – effect of motion

- (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 member who moves “that the motion be deferred” must briefly state the reasons for the deferral when moving.
- (3) A motion that the motion be deferred is not to be moved in respect of the election of a presiding person or the Chairman.

7.6 The meeting do now adjourn – effect of motion

- (1) If a motion “that the meeting do now adjourn”, is carried then the meeting is to stand adjourned to a time and date specified in the motion, or where no time and date is specified, to such time and date as the presiding person declares.
- (2) Where debate on a motion is interrupted by an adjournment under subclause (1) -
 - (a) the debate is to be resumed at the date and time specified as required in subclause (1) and at the point where it was so interrupted; and
 - (b) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
 - (c) the provisions of clause 5.8 apply when the debate is resumed.

7.7 The motion be now put – effect of motion

- (1) If a motion “that the motion be now put”, is carried during discussion of a primary motion or amendment then the presiding person is to immediately put the matter under consideration without further debate (subject to clause 7.4).
- (2) If the motion “that the motion be now put” is lost then debate is to continue.

7.8 Meeting be now closed – effect of motion

- (1) If a motion “that the meeting be now closed”, is carried, then -
 - (a) the presiding person is to forthwith close the meeting, and no further business may be transacted; and
 - (b) any business outstanding on the agenda for that meeting is to be carried forward to the agenda for the next ordinary meeting of the Council.
- (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 5.8 apply when the outstanding business is resumed.

7.9 Council meet behind closed doors – effect of motion

- (1) The requirements for meetings to be open to the public and the reason that meetings may be closed are dealt with in the Act.
- (2) Notwithstanding clause 7.1, a member may move at any time during a meeting “that the meeting meet behind closed doors”.
- (3) If a motion “that the Council meet behind closed doors”, is carried then the presiding person is to direct all persons, other than members, employees and other persons, as specified in the motion, to leave the meeting room and every person must immediately comply with that direction.
- (4) While a decision made under this clause is in force the operation of clause 5.8 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.
- (5) Subject to subclause (3), the meeting is to be closed to the public until the Council resolves to open the meeting to members of the public.
- (6) Upon the public again being admitted to the meeting the presiding person is to cause the motions passed by the Council whilst it was proceeding behind closed doors to be read out including the details of any voting recorded.
- (7) A person who is a member, or an officer or employee is not to publish, or make public any of the discussion which takes place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes.
- (8) A person failing to comply with a direction made under subclause (3) may, by order of the presiding person, be removed by the police from the meeting room.

7.10 Ruling by the presiding person be disagreed with – effect of motion

If a motion “that the ruling by the presiding person be disagreed”, is carried then the ruling of the presiding person about which this motion was moved, is to have no effect and the meeting is to proceed accordingly.

Part 8 – Conduct of Members

8.1 No adverse reflection

- (1) A member must not reflect adversely upon a decision of the Council except on a motion that the decision be revoked or changed.
- (2) A member must not use an objectionable expression in reference to any member, employee of the Council or any other person.
- (3) A member may request that any words used by a member, be recorded in the minutes immediately after their use.

8.2 Withdrawal of offensive language

- (1) A member who uses an expression which, in the opinion of the presiding person -
 - (a) reflects adversely on the character or actions of a member, officer or other person; or
 - (b) imputes any motive to any member or officer; or
 - (c) is offensive or insulting,
 must, when directed by the presiding person, unreservedly withdraw the expression and make an unconditional apology.
- (2) Where a member fails to comply with a direction of the presiding person under subclause (1), the presiding person may refuse to hear the member further on the matter then under discussion and call on the next speaker.

8.3 No participation in public question time

- (1) 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;
- (2) 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 from the Council.

Part 9 - Miscellaneous

9.1 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.

9.2 Improper use of information

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

9.3 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 4.2 (Seating); and
 - (b) clause 5.8 (Limitation on members speaking).
- (2) Notwithstanding subclause (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.

9.4 Recording of proceedings

- (1) A person who uses any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the written permission of the Council commits an offence.

Penalty - \$1,000.

- (2) Subclause (1) does not apply if the record is taken by or at the direction of the CEO with the permission of the Council.

9.5 Cases not provided for in this local law

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

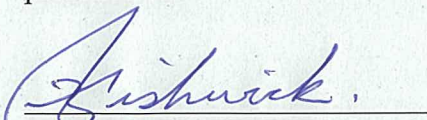
9.6 Enforcement

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

Dated this 21 July 2011

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Mindarie Regional)
Council was affixed by)
authority of a resolution of)
the Council in the)
presence of -




RUSSEL FISHWICK
Chairman


KEVIN POYNTON
Chief Executive Officer

SCHEDULE

PETITION TO THE MINDARIE REGIONAL COUNCIL OF ELECTORS OF THE PARTICIPANTS

[cl.3.7(2)(a)]

To the Chairman and members of the Mindarie Regional Council

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

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

Note the changes to the Standing Orders Local Law 2010 adopted by the Mindarie Regional Council, 7 July 2011

Correspondence in respect of this petition should be addressed to -

*[Here set out the name and address of the person]
Chief Executive Officer, Mindarie Regional Council,
P O Box 538, Joondalup WA 6919.*

The names and addresses of your petitioners are as follows -

Date	Full Name	Address	Signature
		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.

Council Policies – with track changes

Item
9.6

APPENDIX 12

Item
9.6

Policy No: CP 01

TRIM Reference: D/2013/3934256**Policy Title: Annual Fees, Allowances and Expenses for Councillors****Policy Statement:**

To determine the level of fees, allowances and expenses to be paid to Councillors annually.

Policy Procedure:

1. Level of Fees, Allowances and Expenses to be paid to Councillors annually are as follows:

	Fee (\$)	Allowance (\$)	Expense (\$) (Technology)
Chairperson	15,450	19,570	1,000
Deputy Chairperson	10,300	4,893	1,000
Councillor	10,300		1,000
Deputy Councillor	Nil		
Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996		

2. Meeting fees and allowances to which the elected members are entitled, are to be paid in two (2) equal instalments in July and December of each financial year. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the year.

3. A claim for childcare, travel and/or other relevant expenses will be paid on receipt of sufficient information verifying the expense incurred. Payment will be limited to the amount specified in legislation.

4. The fees, allowances and expenses be increased annually in line with the determination of the Salaries and Allowances Tribunal made in accordance with the Salaries and Allowances Act 1975.

Legislation	Local Government Act 1995 s.5.98., 5.98A., 5.99., 5.99A. Local Government (Administration) Regulations 1996 Regs.30-34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	21/11/2019
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; <u>18/06/2020</u>
Next Review Date	01/08/202 <u>19</u>
Revision History	04/09/2014 – Increase in fees/allowances provided to councillors as determined by SAT. New part 4. 14/08/2018 clarification regarding pro rata payments 21/11/2019 – Deputy Councillor meeting fee removed
Delegation to the Chief Executive Officer	Nil

Policy No: CP 02

TRIM Reference: D/~~1320/394~~4257

Policy Title: Affixing of the Common Seal

Policy Statement:

To authorise the affixing of the Common Seal to documents.

Policy Procedure:

1. The Chairperson or, in the absence of the Chairperson, the Deputy Chairperson and the Chief Executive Officer, or the person acting in the Chief Executive Officer's position, are authorised to affix the Common Seal to documents requiring the Common Seal.
2. The Chief Executive Officer will maintain a register, in a secure location, detailing:
 - a. The type of document requiring the Common Seal;
 - b. The names of the persons who signed the document; and
 - c. The date the document was signed.
3. A report listing the documents to which the Common Seal has been affixed will be presented to the next Ordinary Meeting of Council.

Legislation	Local Government Act 1995 s.9.49A
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	27/10/2005, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019; <u>18/06/2020</u>
Next Review Date	01/08/ 2020 <u>2021</u>
Delegation to the Chief Executive Officer	Nil

Policy No: CP 03

~~TRIM~~ Reference: D/~~4320/3964258~~

Policy Title: Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference

Policy Statement:

To determine the expenses and arrangements for Councillors attending Overseas, Interstate or Intrastate Conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. A cash advance of \$75 per day (from the period of one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be available to Councillors on request and issued prior to the conference. All expenses incurred will be remitted to the Director Corporate Services (including receipts) and any unspent cash advance will be returned to the MRC. The remittance will be reviewed by the Director Corporate Services and any expenditure over and above the cash advance will be reimbursed at their discretion.
4. Where a Councillor elects not to make use of the cash advance detailed under (3), they can submit their receipts to the Director Corporate Services for review and reimbursement at their discretion.
5. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel accommodation.
6. The Chief Executive Officer will review the program of conferences being attended by employees and if it is considered that the program offers benefits to the Councillors in their role then a report will be presented to Council inviting one or more Councillors to attend the conference.
7. All Councillors will be provided the opportunity to attend the Biennial Enviro Conference.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	Local Government Act 1995 s.5.99A Local Government (Admin) regulations 1996 34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	20/04/2000, 27/10/2005, 22/04/2010, 02/05/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/08/2018, 13/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/202 <u>1</u> 9
Delegation to the Chief Executive Officer	Nil

Policy No: CP 04

TRIM Reference: D/~~1320/3974259~~

Policy Title: Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference

Policy Statement:

To determine the expenses and arrangements for employees attending Overseas, Interstate or Intrastate conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. An allowance of \$75 per day (payable from one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be issued as a cash advance prior to the conference. Any expenses incurred over and above the allowance issued will only be reimbursed on the production of receipts and at the discretion of the Director Corporate Services.
4. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer or the Chairperson, if the variation results from the Chief Executive Officer attending a conference.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	27/10/2005, 22/04/2010, 05/09/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/9/2017; 14/08/2018, 13/09/2019, 18/06/2020
Next Review Date	01/08/202 19
Delegation to the Chief Executive Officer	Nil

Policy No: CP 06

TRIM Reference: D/1320/4004262

Policy Title: Purchase of Goods and Services

Policy Statement:

To ensure that goods and services are purchased competitively in accordance with the Local Government Act and associated regulations.

Policy Procedure:

The following requirements shall be observed before entering into a contract or placing an order for the purchase of goods or services:

1. Goods or services not exceeding \$1,999 (excluding GST)

No quotations are required to be obtained however it is recommended that at least two (2) verbal quotations be obtained, where possible. Periodic market testing with a greater number or more formal forms of quotation should be undertaken to ensure best value is maintained.

Notes: The general principles for obtaining verbal quotations are:

- a. Ensure that the requirements/specifications are clearly understood by the person seeking the quotation.
- b. Ensure that the requirements/specifications are clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- c. Read back the details to the supplier contact person to confirm their accuracy.
- d. Written notes detailing each verbal quotation must be recorded.

2. Goods and services between \$2,000 and \$19,999 (excluding GST).

At least three (3) verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, an explanation must be noted on the purchase requisition form.

Notes: Refer to (1) above for details on obtaining verbal quotes.

The general principles relating to written quotations are:

- a. An appropriately detailed specification that communicates the requirement(s) in a clear, concise and logical fashion.
 - b. The request for a written quotation should include as a minimum:
 - (i) Written specification
 - (ii) Price Schedule
 - (iii) Any conditions relating to the submission of the quotation.
 - (iv) The period or date until which the offer remains valid.
 - c. Invitations to quote should be separately issued to suppliers at the same time.
 - d. Any subsequent new or amended requirements for the goods or service during the quotation period must be communicated to all invitee suppliers as soon as the new or amended requirement is determined. Such communication must be made to all invitee suppliers at the same time and if made verbally, confirmed in writing (email, fax, letter) immediately thereafter.
 - e. Responses should be assessed for compliance, in order:
 - (i) against the selection criteria, and
 - (ii) value for money.
- All evaluations must be documented.

- f. Invited suppliers should be advised of the outcome of their quotations as soon as possible after the final determination is made and approved.

3. Goods or services between \$20,000 and \$69,999 (excluding GST)

At least three (3) written quotes are required.

Note: Refer to (2) above for details on obtaining written quotes.

4. Goods or services between \$70,000 and \$249,999 (excluding GST).

At least three (3) written quotes are required.

Note: In addition to the requirements for obtaining written quotes detailed in (2) above, qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous relevant experience and any other relevant factor should be considered as part of the assessment.

An evaluation panel consisting of at least three members shall be established prior to the advertising for goods or services. The panel should include a mix of skills and experience relevant to the nature of the purchase.

Where it is considered beneficial, Tenders may be called in lieu of seeking quotations for purchases under the ~~\$42~~50,000 threshold (excluding GST). If a decision is made to seek public Tenders for the Contracts of less than ~~\$24~~50,000, a Request for Tender process that entails all the procedures for Tendering outlined in this procedure must be followed in full.

The procurement of goods and/or services available from only one private sector source of supply (Monopoly Supplier), (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there is genuinely only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of "sole source of supply" provision should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

5. Goods or services over ~~\$24~~50,000 (excluding GST).

The following minimum requirements must be met:

a. Anti-Avoidance

Officers shall not divide a Tender or quotation for goods or services into two or more contracts for the purpose of reducing each component contract to below ~~\$24~~50,000.

b. Tender Criteria

The officer authorised to manage a public Tender shall, before Tenders are publicly invited, determine in writing the criteria and criteria weightings for deciding which Tender should be accepted.

Criteria weightings will be determined with reference to the complexity and nature of the specific goods or services being tendered for.

An evaluation panel consisting of at least four members shall be established prior to the advertising of a Tender and include a mix of skills and experience relevant to the nature of the purchase.

c. **Advertising Tenders**

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The Tender must remain open for at least 14 **full** days after the date the Tender is advertised.

The notice must include:

- (i) A brief description of the goods and services required;
- (ii) Information as to where and how Tenders may be submitted;
- (iii) The date and time after which Tenders cannot be submitted;
- (iv) Particulars identifying the person from whom more detailed information on the Tender may be obtained;
- (v) Such information as the CEO decides should be disclosed to those interested in submitting a Tender;
- (vi) Detailed specifications of the goods and services required;
- (vii) The criteria for deciding which Tender should be accepted;
- (viii) Whether or not the MRC has decided to submit an in-house Tender; and
- (ix) Whether or not Tenders can be submitted by facsimile or other electronic means, and if so, how Tenders may so be submitted.

d. **Issuing Tender Documentation**

The issuing of Tender documentation, whether by counter, mail, internet, referral or other means, to an interested potential Tenderer is conditional upon the potential Tenderer disclosing the name, contact person and contact details of the entity he or she owns or represents.

These details must be recorded and will be used for the purpose of any subsequent clarifications, addendums or further communication that may be required prior to the close of the Tenders.

The Council reserves the right to charge a non-refundable 'documents fee' for large construction projects comprising voluminous specifications and design drawings.

e. **Tender Deadline**

A Tender that is not received in full and/or in the required format by the advertised closing time and date shall be disqualified and will not be evaluated.

f. **Opening of Tenders**

All Tenders may be received electronic or hard copies, as per the requirements stated in the Tender documents.

No Tenders are to be removed from the Tender box, opened, read or evaluated prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee along with at least one other Council Officer. The details of all Tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record Tendered prices at the Tender opening, and price information should be regarded as *commercial-in-confidence* to the MRC. Members of the public are entitled to be present at opening of Tenders.

For Tenders received in hard copy, the Tenderer's Offer Form, Price Schedule and other appropriate pages from each Tender shall be date stamped and initialled by at least two MRC Officers present at the opening of Tenders.

g. **No Tender Received**

Where the MRC has invited Tenders but no compliant submissions were received, direct purchases can be arranged on the basis of the following:

- (i) A sufficient number of quotations are obtained;
- (ii) The process follows the guidelines for seeking quotations between \$70,000 and \$2449,999 (listed above);
- (iii) The specification for goods and/or services remains unchanged;
- (iv) Purchasing is arranged within six (6) months of the closing date of the lapsed Tender.

h. **Tender Evaluation Panel**

A minimum of four members should be selected for the panel. The members are to be selected based on their knowledge of the subject matter being considered or based on their contract experience.

Each member of the panel is to sign a declaration acknowledging their responsibility to keep the Tender information confidential and noting any potential conflicts of interest that they may have.

Where a member has a significant conflict of interest, they are to be excused from the panel and replaced by another suitable member.

i. **Tender Evaluation**

Each Tender that has not been disqualified shall be assessed by a Tender evaluation panel. The panel must provide a written evaluation against the pre-determined criteria.

j. **Addendum to Tender**

If, after a Tender has been publicly advertised, any changes, variations or adjustments to the Tender document and/or the conditions of Tender are required, the MRC may vary the initial information by taking reasonable steps to give each person who has sought copies of the Tender documents notice of the variation.

k. **Variation of Contract**

(1) Minor Variation

If after the Tender has been publicly advertised and a successful Tenderer has been chosen, but before the MRC and Tenderer have entered into a Contract, a minor variation may be authorised by the CEO. A minor variation is deemed to be one where the scope and price does not vary by more than 10% of the original scope and price. Variations in price alone, i.e. without a change in scope or variation in specification, will not be authorised.

A minor variation must not alter the nature of the goods and/or services procured, nor materially alter the specification or structure provided for by the initial Tender.

(2) Contracts Entered into

A contract that has been entered into may only be varied if:

- (a) the variation is necessary for the supply of the goods and service and the variation does not change the scope of the contract; or
- (b) It is a renewal or a term extension of a contract required for emergency under 6.8(1)(c) of the Local Government Act 1995.

l. **Notification of Outcome**

Each Tenderer shall be notified of the outcome of the Tender following Council resolution. Notification shall include:

- (i) The name of the successful Tenderer;
- (ii) The total value of consideration of the Tender as detailed in the Council resolution;
- (iii) The details and total value of consideration must also be entered into the Tender register at the conclusion of the Tender process.

m. **Records Management**

All records associated with the Tender process or a direct purchase must be recorded and retained in accordance with the minimum requirements of the State Records Act.

6. When public Tenders or quotations are NOT required

In the following instances public Tenders or quotation procedures are not required (regardless of the value of expenditure):

- a. An emergency situation as defined by the Local Government Act 1995;
- b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements or E-Quotes), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
 - (i) Notwithstanding the above, where there are multiple WALGA Preferred Suppliers and the contract value is in excess of \$69,999, the requirements of 4. above are to be complied with;
- c. The purchase is under auction which has been authorised by Council;
- d. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;

e. Any of the other exclusions applicable under Regulation 11 of the Functions and General Regulations.

7. State of Emergency Conditions

When a State of Emergency is declared in WA, the provisions in the regulations governing a State of Emergency are deemed to apply.

e-

7-8. Recording Quotations

All quotations, whether verbal or written, must be recorded in compliance with the Record Keeping Act.

8-9. Local supplier

If a local supplier is invited to quote and provides a quotation which, on evaluation, is either equal or better than a non-local supplier, then preference must be given to that local supplier.

9-10. Environmental Consideration

In the absence of any other differences, a product that has less of an environmental and human health impact, will be given preference.

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Legislation	1. Local Government Act 1995 s.3.57. 1. Local Government (Functions & General) Regulations 1996 – Part 4
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	28/02/2008; 05/09/2013; 04/09/2014, 20/08/2015; 05/11/2015; 01/09/2016; 14/09/2017; 14/08/2018, 13/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/2021 9
Revision History	04/09/2014 – Part 5 to include “h”. Part 6b reworded to clarify use of WALGA preferred suppliers. 05/11/2015 1. Increases to the values of the Tendering and quoting requirements. 2. Changes made to Part 5(k) Variation of contract. 14/08/2018 1. Changes to part 4. Increases to the threshold values 2. Change to part 5 b. Aligning the number of panel members to same value as in part 5 h. 3. Change to part 5 g. Increasing values 4. Change to part 6 a. Minor spelling. 5. Change to 6 b. Increasing values 6. Added part 9 to include an Environmental Consideration 13/08/2019 clarify Tenders may be received electronic or hard copies, minor text changes. <u>18/06/2020 State of Emergency additions</u>

Delegation to the Chief Executive Officer	Yes
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Policy No: CP 08

TRIM-Reference: D/~~1320~~/4044263

Policy Title: Provision and use of Council Vehicles

Policy Statement:

To determine the vehicle type and usage for employees.

Policy Procedure:

1. The following positions will be allocated vehicles as follows:

Position Type	Vehicle Type	Vehicle Value (Excl. GST)	Usage
Chief Executive Officer	Any within Value	Up to \$52,000	Per Contract
Director Corporate Services	Any within Value	Up to \$48,000	Per Contract
Manager Operations	Four Wheel Drive Min. 1 Tonne Tare	Up to \$45,000	Commuting or Private (Restricted)
Vehicles are to be purchased using the State Vehicle Pricing contract			

2. Vehicle Usage Type

Use Type	Definition
Private (Unrestricted)	Travel is permitted within the geographical area of the State/Territory including during periods of leave.
Private (Restricted)	Travel is permitted within the geographical area of the State/Territory excluding periods of leave.
Commuting	Travel is limited to and from the workplace and usual residence of the employee.

3. The Manager Operations may elect to take Restricted Private Use of the vehicle by contributing *\$25/week after tax, drawn from their salary.
*The level of contribution will be subject to an annual review and any adjustments shall be affected as at 1 July each year. The adjustment in percentage on the above payment shall not exceed any increase in the operating costs of vehicles as outlined on the RAC website consumer guide to vehicle running costs.
4. Use of the Manager's vehicle is unlimited on sites owned or managed by the MRC. Use of all the vehicles are otherwise limited to sealed roads, unless varied by the Chief Executive Officer (CEO), or in the case of the CEO, by Council.
5. During working hours the vehicle is to be made available to other staff members when not required by the Manager or relevant officer.
6. All vehicle maintenance and repairs will be provided other than for the CEO if the Novated Lease option of the CEO's contract is elected, in which case the contract conditions will prevail.

7. Fuel costs will be provided as follows:

Use Type	Fuel Purchase
Unrestricted Private	for all use
Restricted Private	for all use other than weekends where travel is outside the Metropolitan Area (Scheme Boundary) when the employee will meet the cost of refuelling.
Commuter	Use between the workplace and usual residence of the employee
Note: Wherever possible the fuel station at Tamala Park should be used. Where an employee with Restricted Private Use refuels the vehicle at the weekend to travel outside the metropolitan area the employee must meet the cost of refuelling and provide receipts for any fuel purchases to the Director Corporate Services as soon as practicable. (This is for Fringe Benefits Tax reduction purposes).	

8. The spouse or partner, family members or friend of an employee who is provided with a vehicle under this clause is permitted to drive the vehicle. A friend may only drive the vehicle when the vehicle is not required for work purposes and the employee is an occupant of the vehicle.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019, 18/06/2020
Next Review Date	01/08/ 2020 <u>2021</u>
Revision History	14/8/2018 1. At point 1, remove rows for Site Supervisor and Plant Supervisor 2. At point 3, delete words 'Site Supervisor and Plant Supervisor' 3. At point 4, delete word 'supervisor's' and add sentence to clarify the use of the vehicles on sealed roads
Delegation to the Chief Executive Officer	Nil

Policy No: CP 09

TRIM Reference: D/2013/4054264

Policy Title: Investments

Policy Statement:

To ensure that funds held by the Council are invested:

1. In a conservative manner, whilst striving to achieve the best outcome for the Council;
2. So as to yield a suitable level of diversification of counter party risk;
3. So as to maintain a low level of risk exposure by using recognised rating criteria; and
4. So as to allow for ready access to funds for day to day requirements.

Policy Procedure:

1. Reserve Funds and funds surplus to the immediate needs of the Regional Council may be invested with financial institutions with a Standard and Poors rating of "AA-" or better.
2. Where funds are invested with a financial institution whose credit rating falls below the prescribed level, the funds are to be liquidated in the most effective and expedient manner.
3. Funds may only be invested in interest bearing deposits or other bank guaranteed instruments.
4. Where the funds are placed for a tenor of not more than 90 days, they may be invested with one financial institution.
5. Where the funds are placed for a tenor exceeding 90 days, no more than 50% of the total funds shall be held by any one institution. The tenor of any investment is not to exceed 365 days.
6. Details of the performance and amounts invested with each financial institution shall be reported regularly in the Regional Council's Members' Information Bulletin.
7. Where practical, funds should be invested in such a manner as to provide sufficient access to funds within any normal payment cycle.
8. The Regional Council's investment portfolio is not to be leveraged to obtain funding.
9. Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy and the investment offers returns that are at least equal to those offered by other financial institutions. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information

Legislation	Local Government Act 1995 s.6.11, s.6.14 Local Government (Financial Management) Regulations 1996 Reg.17, Reg.19
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	02/05/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/202 <u>1</u> 0
Revision History	04/09/2014 - Changes made to procedure for clarity as per recommendations made by MRC Auditors.
Delegation to the Chief Executive Officer	Yes

Policy No: CP 10

TRIM Reference: D/~~1320~~/9244265

Policy Title: Donations – Financial Assistance/Support

Policy Statement:

To provide support to community groups, schools and MRC employees.

Procedure:

1. A not-for-profit community group (incorporated) or school within the Region that is performing an activity or activities that assists the MRC in achieving its objectives may be provided with a donation of up to \$500 or a discount on MRC goods and services up to a value of \$500 ~~and/or free tipping of up to 5 tonnes of waste~~ in any financial year.
2. An employee who is selected by a:
 - a. sporting governing body to represent the State/Commonwealth in a recognised sporting event; or
 - b. recognised educational institution to represent the State/Commonwealth for academic or educational achievement,
 may be provided with a donation of \$200 if the representation is at a State level or \$500 if the representation is at a Commonwealth level.
3. Applications must be made in writing, addressed to the Chief Executive Officer.
4. The Chief Executive Officer is authorised to accept or decline any application.
5. Retrospective applications will not be considered.
6. Donations made under delegated authority will be reported to Council via the Members' Information Bulletin annually.
7. Applications that fall outside this policy may be referred to Council for determination.

Legislation	N/A
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/ 2020 2021
Revision History	14/08/2018 Point 1 and 2. Minor text/grammar 18/06/2020 Donations wording clarity
Delegation to the Chief Executive Officer	

Policy No: CP11

TRIM-Reference: D/14/~~37544266~~

Policy Title: Use of Corporate Credit Cards

Policy Statement:

The purpose of this policy is to prescribe the principles governing the use of corporate credit cards by employees and to outline the responsibilities of cardholders.

Policy Procedure:

1. The issuing of corporate credit cards (Cards) to employees is at the discretion of the Chief Executive Officer (CEO). Where a Card is to be issued to the CEO, this is to be approved by Council. Any increases in the CEO's credit limit are to be approved by Council.
2. Each cardholder is to be provided with a copy of this policy when their Card is issued and they are to sign a copy of this policy as evidence of their agreement to abide by the policy.
3. Where more than one Card is in issue, a register of cards is to be maintained, outlining the following:
 - Holder's name
 - Card number
 - Expiry date
 - Credit limit
4. On termination of employment, a cardholder's Card is to be surrendered to the Mindarie Regional Council (MRC). The Card will then be cancelled with immediate effect and physically destroyed.
5. Cards are not to be used by anyone other than the cardholder, except with the express authorisation of the CEO. Cardholders are required to take appropriate steps to keep their PIN secret and to prevent the theft or loss of their Card. Where a Card is lost or misplaced, the cardholder is to notify the MRC immediately.
6. The benefits from any reward scheme/s linked to the Card accrue to the MRC and not the employee. The CEO may exercise his discretion as to how these reward benefits are to be applied for the benefit of the MRC.
7. The credit limit on each Card is to be determined by the CEO, but may not exceed the value of an employee's delegated financial authority.
8. Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited. All purchases are to be made in accordance with policy CP06 – Purchases of Goods and Services.
9. Cardholders are to provide receipts each month to substantiate expenditures on their Card. Card expenditures and receipts are to be reviewed by the Director Corporate Services monthly.
10. A summary of expenditures incurred by the CEO on the MRC credit card will be presented to each Council meeting as part of the financial reporting pack.
11. Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.

Legislation	Local Government Act 1995 s.2.7(2)(a) and (b), s.6.5(a) Local Government (Financial Management) Regulations 1996 Reg.11(1)(a)
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	03/09/2014; 20/08/2015; 01/09/2016; 14/09/17; 14/08/2018, 13/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/ 2020 <u>2021</u>
Revision History	14/08/2018 Insert new sentence at point 10, previous point 10 changed to point 11.
Delegation to the Chief Executive Officer	Yes

Policy No: CP12

TRIM Reference: D/~~4420/37564267~~

Policy Title: Gate Fee Setting

Policy Statement:

The purpose of this policy is to outline the principles for gate fee setting.

Policy Procedure:

1. The Mindarie Regional Council (MRC) will set the Members' and Non-members' gate fee rates in the budget each year such that the MRC is able to:
 - Cover the costs of its operations, including the costs associated with the Resource Recovery Facility
 - Adequately fund its site restoration and post closure liabilities
 - Adequately fund its non-infrastructure capital expenditures
 - Keep its liquidity and debt ratios within the levels prescribed in the 20-year Financial Plan
2. Non-members' gate fee rates are to be set so as to cover the cost of the service at a minimum.
3. The distribution of a year-end surplus will be determined by Council when adopting the Annual Report and Audited Financial Statements.
4. The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.
5. The Chief Executive Officer may approve a discount to the Non-Members' gate fee in line with limits set as part of the annual budget process.
6. Specific fees and charges for others services provided by the MRC are to be set so as to cover the cost of the service at a minimum.

The gate fee rates are to be reviewed annually during the mid-year budget review and the Council may choose to adjust the gate fee rates to take into account an expected deficit or surplus if it deems it appropriate to do so.

Legislation	Local Government Act 1995 s.6.16
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	03/09/2015; 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/202 <u>1</u> 0
Delegation to the Chief Executive Officer	Yes

Policy No: CP13

TRIM Reference: D/~~1520~~/32244268

Policy Title: Budget Variance Reporting Threshold

Policy Statement:

To set the threshold for variances (\$) that are required to be reported to Council in the Month End Financial Statements.

Policy Procedure:

The following year-to-date variances to Budget will be reported in the Financial Statements for each month presented to Council.

Revenue:

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.

Expenses:

1. All Expense variances (Per Line Item) greater than \$100,000.

Legislation	Local Government (Financial Management) Regulations 1996
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	01/09/2016; 14/09/17, 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/ 2020 2021
Revision History	Nil
Delegation to the Chief Executive Officer	Nil

Policy Title: ACTING CHIEF EXECUTIVE OFFICER APPOINTMENT

PURPOSE

To provide guidance to the **Council's appointed** Chief Executive Officer (CEO) for the process of appointing an Acting CEO in the event the incumbent is not available to perform normal duties

or

to provide guidance to the **Council's appointed** Interim Chief Executive Officer (ICEO) for the process of appointing an Acting CEO in the event the incumbent is not available to perform normal duties.

For this policy:

1. **CEO** is the Council appointed Chief Executive Officer
2. **ICEO** is the Council appointed Interim Chief Executive Officer
3. **Acting CEO** is appointed by either the CEO or the ICEO.

OBJECTIVE

To:

1. ensure that the Council is not without a CEO for any period;
2. remove uncertainty on the procedure to follow when the CEO or ICEO is absent or not available to perform normal duties; and
3. provide for an orderly transfer of power.

PROCEDURE

The role of the CEO or ICEO may be delegated as follows:

1. When leave or other absence from the office is known and or arranged in advance.
 - 5 Days or less
 - a) No need to appoint an Acting CEO if the CEO or ICEO is contactable.
 - b) Discretion of the CEO / ICEO whether Acting CEO is necessary.
 - c) CEO/ICEO to appoint Acting CEO if necessary.

More than 5 days up to 3 months

- a) CEO/ICEO to appoint an Acting CEO.

The appointment of an Acting CEO for periods in excess of 3 months should be presented in a report to Council for consideration.

2. Absence from Australia for any reason, including leave or work related travel, the CEO/ICEO is to appoint an Acting CEO.
3. If the position of CEO/ICEO is vacant for any reason other than the above:
 - a) The Council is to appoint an Acting CEO, at the next scheduled ordinary Council meeting if the timing of the meeting allows for the timely appointment to occur,

Otherwise;

- b) The Chairman shall call for a Special Council meeting for the purpose of appointing an Acting CEO.

Where the CEO/ICEO delegates any powers to an Acting CEO, the delegations are to be made in accordance with the Act.

The CEO / ICEO will provide delegations in writing and may be general or as otherwise provided in the instrument of delegation to the Acting CEO.

If the position of the CEO/ICEO is vacant, the Council will provide delegations in writing and may be general or as otherwise provided in the instrument of delegation to the Acting CEO.

Legislation	Local Government Act 1995 (Section 5.36, 5.37, 5.39, 5.42)
Reference/s	
Attachment/s	
Council Meeting Date	19/09/2019
Responsible Officer	CEO
Review History	13/08/2019, 18/06/2020
Next Review Date	01/08/202 1 ⁰
Revision History	13/08/2019 no change

Policy No: CP16

~~TRIM~~ Reference: D/~~1920/52534271~~

Policy Title: Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.

Policy Statement:

The Council may provide financial assistance to relevant persons in connection with the performance of their functions provided that the relevant person has acted in good faith and in accordance with their role(s), power(s) and responsibility(s).

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the Council.

Definitions

Approved lawyer is to be:

- a) A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) From a law firm listed as a WALGA preferred supplier, if relevant, unless the Council considers that this is not the appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) Approved in writing by the Council or the Chief Executive Officer (CEO) under delegated authority.

Council is the Mindarie Regional Council

Good faith means a sincere belief or motive without any malice or desire to defraud others.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of;

- a) A matter or matters arising from the performance of the functions of the relevant person; and
- b) Legal proceedings involving the relevant person that have been or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services include advice, representation or documentation that is provided by an approved lawyer.

Payment by the Council of legal representation costs may be either by:

- a) A direct payment to the approved lawyer; or
- b) A reimbursement to the relevant person.

Relevant Person mean a current or former Elected Members, Committee Members and Employees of the Council.

Procedure:

1. Payment Criteria

- 1.1. There are four major criteria for determining whether the Council will pay the legal representation costs of a relevant person. These are:
- a) The legal representation costs must relate to a matter that arises from the performance by the relevant person, or his or her functions;
 - b) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - c) In performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
 - d) The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- 2.1. If the criteria in clause 1 of this policy are satisfied, the Council may approve the payment of legal representation costs:
- a) where proceedings are brought against a relevant person in connection with his or her functions an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions (e.g. where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved (e.g. where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.)
- 2.2. The Council will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

3. Applications for Payment

- 3.1. A relevant person who seeks assistance under this policy is to make an application in writing to the Council or the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Council for payment to be made.
- 3.3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4. As far as possible the application is to be made before commencement of the legal representation to which the application relates.

3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:

- a) has read and understands, the terms of this policy;
- b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
- c) undertakes to repay the Council any legal representation costs in accordance with the provisions of clause 7.

3.6. In relation to clause 3.5 (c), when a relevant person is to be in receipt of such monies the relevant person should sign a document which requires repayment of that money to the Council as may be required by the Council and the terms of the Policy.

3.7. An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – Limit

4.1. The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application or any other amount that it sees fit.

4.2. A relevant person may make a further application to the Council in respect of the same matter.

5. Council's Powers

5.1. The Council may:

- a) refuse;
- b) grant; or
- c) grant subjects to conditions,

an application for payment of legal representation costs.

5.2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Council relevant person's insurance policy or its equivalent.

5.4. The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

5.5. The Council may, subject to clause 5.6, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b) given false or misleading information in respect of the application.

5.6. A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.7. Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Council are to be repaid by the relevant person in accordance with clause 7.

6. Delegation to the Chief Executive Officer

- 6.1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.
- 6.3. This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

7. Repayment of Legal Representation Costs

- 7.1. A relevant person whose legal representation costs have been paid by the Council is to repay the Council:
 - a) all or part of those costs – in accordance with a determination by Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off, where the relevant employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Council paid the legal representation costs.
- 7.2. The Council may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

Legislation	<i>Local Government Act 1995 S9.56, S3.1, S6.7(2) Legal Profession Act 2008</i>
Guidelines	Department of Local Government of Communities Operational Guideline No 14 Legal Representation for Council Members and Employees April 2006
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	01/08/2019, <u>18/06/2020</u>
Next Review Date	01/08/202 1 0
Delegation to the Chief Executive Officer	

Policy No: CP16

Reference: D/20/4271

Policy Title: Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.

Policy Statement:

The Council may provide financial assistance to relevant persons in connection with the performance of their functions provided that the relevant person has acted in good faith and in accordance with their role(s), power(s) and responsibility(s).

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the Council.

Definitions

Approved lawyer is to be:

- a) A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) From a law firm listed as a WALGA preferred supplier, if relevant, unless the Council considers that this is not the appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) Approved in writing by the Council or the Chief Executive Officer (CEO) under delegated authority.

Council is the Mindarie Regional Council

Good faith means a sincere belief or motive without any malice or desire to defraud others.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of;

- a) A matter or matters arising from the performance of the functions of the relevant person; and
- b) Legal proceedings involving the relevant person that have been or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services include advice, representation or documentation that is provided by an approved lawyer.

Payment by the Council of legal representation costs may be either by:

- a) A direct payment to the approved lawyer; or
- b) A reimbursement to the relevant person.

Relevant Person mean a current or former Elected Members, Committee Members and Employees of the Council.

Procedure:

1. Payment Criteria

- 1.1. There are four major criteria for determining whether the Council will pay the legal representation costs of a relevant person. These are:
- a) The legal representation costs must relate to a matter that arises from the performance by the relevant person, or his or her functions;
 - b) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - c) In performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
 - d) The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- 2.1. If the criteria in clause 1 of this policy are satisfied, the Council may approve the payment of legal representation costs:
- a) where proceedings are brought against a relevant person in connection with his or her functions an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions (e.g. where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved (e.g. where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.)
- 2.2. The Council will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

3. Applications for Payment

- 3.1. A relevant person who seeks assistance under this policy is to make an application in writing to the Council or the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Council for payment to be made.
- 3.3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4. As far as possible the application is to be made before commencement of the legal representation to which the application relates.

3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:

- a) has read and understands, the terms of this policy;
- b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
- c) undertakes to repay the Council any legal representation costs in accordance with the provisions of clause 7.

3.6. In relation to clause 3.5 (c), when a relevant person is to be in receipt of such monies the relevant person should sign a document which requires repayment of that money to the Council as may be required by the Council and the terms of the Policy.

3.7. An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – Limit

4.1. The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application or any other amount that it sees fit.

4.2. A relevant person may make a further application to the Council in respect of the same matter.

5. Council's Powers

5.1. The Council may:

- a) refuse;
- b) grant; or
- c) grant subjects to conditions,

an application for payment of legal representation costs.

5.2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Council relevant person's insurance policy or its equivalent.

5.4. The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

5.5. The Council may, subject to clause 5.6, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b) given false or misleading information in respect of the application.

5.6. A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.7. Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Council are to be repaid by the relevant person in accordance with clause 7.

6. Delegation to the Chief Executive Officer

- 6.1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.
- 6.3. This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

7. Repayment of Legal Representation Costs

- 7.1. A relevant person whose legal representation costs have been paid by the Council is to repay the Council:
 - a) all or part of those costs – in accordance with a determination by Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off, where the relevant employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Council paid the legal representation costs.
- 7.2. The Council may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

Legislation	<i>Local Government Act 1995 S9.56, S3.1, S6.7(2)</i> <i>Legal Profession Act 2008</i>
Guidelines	Department of Local Government of Communities Operational Guideline No 14 Legal Representation for Council Members and Employees April 2006
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	01/08/2019, 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	

Council Policies – clean copy

Item
9.6

APPENDIX 13

Item
9.6

Policy No: CP 01

Reference: D/20/4256

Policy Title: Annual Fees, Allowances and Expenses for Councillors
Policy Statement:

To determine the level of fees, allowances and expenses to be paid to Councillors annually.

Policy Procedure:

1. Level of Fees, Allowances and Expenses to be paid to Councillors annually are as follows:

	Fee (\$)	Allowance (\$)	Expense (\$) (Technology)
Chairperson	15,450	19,570	1,000
Deputy Chairperson	10,300	4,893	1,000
Councillor	10,300		1,000
Deputy Councillor	Nil		
Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996		

2. Meeting fees and allowances to which the elected members are entitled, are to be paid in two (2) equal instalments in July and December of each financial year. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the year.

3. A claim for childcare, travel and/or other relevant expenses will be paid on receipt of sufficient information verifying the expense incurred. Payment will be limited to the amount specified in legislation.

4. The fees, allowances and expenses be increased annually in line with the determination of the Salaries and Allowances Tribunal made in accordance with the Salaries and Allowances Act 1975.

Legislation	Local Government Act 1995 s.5.98., 5.98A., 5.99., 5.99A. Local Government (Administration) Regulations 1996 Regs.30-34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	21/11/2019
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; 18/06/2020
Next Review Date	01/08/2021
Revision History	04/09/2014 – Increase in fees/allowances provided to councillors as determined by SAT. New part 4. 14/08/2018 clarification regarding pro rata payments 21/11/2019 – Deputy Councillor meeting fee removed
Delegation to the Chief Executive Officer	Nil

Policy No: CP 02

Reference: D/20/4257

Policy Title: Affixing of the Common Seal

Policy Statement:

To authorise the affixing of the Common Seal to documents.

Policy Procedure:

1. The Chairperson or, in the absence of the Chairperson, the Deputy Chairperson and the Chief Executive Officer, or the person acting in the Chief Executive Officer's position, are authorised to affix the Common Seal to documents requiring the Common Seal.
2. The Chief Executive Officer will maintain a register, in a secure location, detailing:
 - a. The type of document requiring the Common Seal;
 - b. The names of the persons who signed the document; and
 - c. The date the document was signed.
3. A report listing the documents to which the Common Seal has been affixed will be presented to the next Ordinary Meeting of Council.

Legislation	Local Government Act 1995 s.9.49A
Responsible Officer	Chief Executive Officer
Council Meeting Date	19/09/2019
Review History	27/10/2005, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019; 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	Nil

Policy No: CP 03**Reference: D/20/4258**

Policy Title: Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference

Policy Statement:

To determine the expenses and arrangements for Councillors attending Overseas, Interstate or Intrastate Conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. A cash advance of \$75 per day (from the period of one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be available to Councillors on request and issued prior to the conference. All expenses incurred will be remitted to the Director Corporate Services (including receipts) and any unspent cash advance will be returned to the MRC. The remittance will be reviewed by the Director Corporate Services and any expenditure over and above the cash advance will be reimbursed at their discretion.
4. Where a Councillor elects not to make use of the cash advance detailed under (3), they can submit their receipts to the Director Corporate Services for review and reimbursement at their discretion.
5. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel accommodation.
6. The Chief Executive Officer will review the program of conferences being attended by employees and if it is considered that the program offers benefits to the Councillors in their role then a report will be presented to Council inviting one or more Councillors to attend the conference.
7. All Councillors will be provided the opportunity to attend the Biennial Enviro Conference.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	Local Government Act 1995 s.5.99A Local Government (Admin) regulations 1996 34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	20/04/2000, 27/10/2005, 22/04/2010, 02/05/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/08/2018, 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	Nil

Policy No: CP 04

Reference: D/20/4259

Policy Title:	Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference
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Policy Statement:

To determine the expenses and arrangements for employees attending Overseas, Interstate or Intrastate conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. An allowance of \$75 per day (payable from one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be issued as a cash advance prior to the conference. Any expenses incurred over and above the allowance issued will only be reimbursed on the production of receipts and at the discretion of the Director Corporate Services.
4. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer or the Chairperson, if the variation results from the Chief Executive Officer attending a conference.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	27/10/2005, 22/04/2010, 05/09/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/9/2017; 14/08/2018, 13/09/2019, 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	Nil

Policy No: CP 06

Reference: D/20/4262

Policy Title: Purchase of Goods and Services

Policy Statement:

To ensure that goods and services are purchased competitively in accordance with the Local Government Act and associated regulations.

Policy Procedure:

The following requirements shall be observed before entering into a contract or placing an order for the purchase of goods or services:

1. Goods or services not exceeding \$1,999 (excluding GST)

No quotations are required to be obtained however it is recommended that at least two (2) verbal quotations be obtained, where possible. Periodic market testing with a greater number or more formal forms of quotation should be undertaken to ensure best value is maintained.

Notes: The general principles for obtaining verbal quotations are:

- a. Ensure that the requirements/specifications are clearly understood by the person seeking the quotation.
- b. Ensure that the requirements/specifications are clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- c. Read back the details to the supplier contact person to confirm their accuracy.
- d. Written notes detailing each verbal quotation must be recorded.

2. Goods and services between \$2,000 and \$19,999 (excluding GST).

At least three (3) verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, an explanation must be noted on the purchase requisition form.

Notes: Refer to (1) above for details on obtaining verbal quotes.

The general principles relating to written quotations are:

- a. An appropriately detailed specification that communicates the requirement(s) in a clear, concise and logical fashion.
- b. The request for a written quotation should include as a minimum:
 - (i) Written specification
 - (ii) Price Schedule
 - (iii) Any conditions relating to the submission of the quotation.
 - (iv) The period or date until which the offer remains valid.
- c. Invitations to quote should be separately issued to suppliers at the same time.
- d. Any subsequent new or amended requirements for the goods or service during the quotation period must be communicated to all invitee suppliers as soon as the new or amended requirement is determined. Such communication must be made to all invitee suppliers at the same time and if made verbally, confirmed in writing (email, fax, letter) immediately thereafter.
- e. Responses should be assessed for compliance, in order:
 - (i) against the selection criteria, and
 - (ii) value for money.
 All evaluations must be documented.

- f. Invited suppliers should be advised of the outcome of their quotations as soon as possible after the final determination is made and approved.

3. Goods or services between \$20,000 and \$69,999 (excluding GST)

At least three (3) written quotes are required.

Note: Refer to (2) above for details on obtaining written quotes.

4. Goods or services between \$70,000 and \$249,999 (excluding GST).

At least three (3) written quotes are required.

Note: In addition to the requirements for obtaining written quotes detailed in (2) above, qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous relevant experience and any other relevant factor should be considered as part of the assessment.

An evaluation panel consisting of at least three members shall be established prior to the advertising for goods or services. The panel should include a mix of skills and experience relevant to the nature of the purchase.

Where it is considered beneficial, Tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public Tenders for the Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for Tendering outlined in this procedure must be followed in full.

The procurement of goods and/or services available from only one private sector source of supply (Monopoly Supplier), (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there is genuinely only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of "sole source of supply" provision should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

5. Goods or services over \$250,000 (excluding GST).

The following minimum requirements must be met:

a. Anti-Avoidance

Officers shall not divide a Tender or quotation for goods or services into two or more contracts for the purpose of reducing each component contract to below \$250,000.

b. Tender Criteria

The officer authorised to manage a public Tender shall, before Tenders are publicly invited, determine in writing the criteria and criteria weightings for deciding which Tender should be accepted.

Criteria weightings will be determined with reference to the complexity and nature of the specific goods or services being tendered for.

An evaluation panel consisting of at least four members shall be established prior to the advertising of a Tender and include a mix of skills and experience relevant to the nature of the purchase.

c. **Advertising Tenders**

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The Tender must remain open for at least 14 **full** days after the date the Tender is advertised.

The notice must include:

- (i) A brief description of the goods and services required;
- (ii) Information as to where and how Tenders may be submitted;
- (iii) The date and time after which Tenders cannot be submitted;
- (iv) Particulars identifying the person from whom more detailed information on the Tender may be obtained;
- (v) Such information as the CEO decides should be disclosed to those interested in submitting a Tender;
- (vi) Detailed specifications of the goods and services required;
- (vii) The criteria for deciding which Tender should be accepted;
- (viii) Whether or not the MRC has decided to submit an in-house Tender; and
- (ix) Whether or not Tenders can be submitted by facsimile or other electronic means, and if so, how Tenders may so be submitted.

d. **Issuing Tender Documentation**

The issuing of Tender documentation, whether by counter, mail, internet, referral or other means, to an interested potential Tenderer is conditional upon the potential Tenderer disclosing the name, contact person and contact details of the entity he or she owns or represents.

These details must be recorded and will be used for the purpose of any subsequent clarifications, addendums or further communication that may be required prior to the close of the Tenders.

The Council reserves the right to charge a non-refundable 'documents fee' for large construction projects comprising voluminous specifications and design drawings.

e. **Tender Deadline**

A Tender that is not received in full and/or in the required format by the advertised closing time and date shall be disqualified and will not be evaluated.

f. **Opening of Tenders**

All Tenders may be received electronic or hard copies, as per the requirements stated in the Tender documents.

No Tenders are to be removed from the Tender box, opened, read or evaluated prior to the Tender Deadline.

Policy No: CP 08

Reference: D/20/4263

Policy Title: Provision and use of Council Vehicles**Policy Statement:**

To determine the vehicle type and usage for employees.

Policy Procedure:

- The following positions will be allocated vehicles as follows:

Position Type	Vehicle Type	Vehicle Value (Excl. GST)	Usage
Chief Executive Officer	Any within Value	Up to \$52,000	Per Contract
Director Corporate Services	Any within Value	Up to \$48,000	Per Contract
Manager Operations	Four Wheel Drive Min. 1 Tonne Tare	Up to \$45,000	Commuting or Private (Restricted)
Vehicles are to be purchased using the State Vehicle Pricing contract			

- Vehicle Usage Type

Use Type	Definition
Private (Unrestricted)	Travel is permitted within the geographical area of the State/Territory including during periods of leave.
Private (Restricted)	Travel is permitted within the geographical area of the State/Territory excluding periods of leave.
Commuting	Travel is limited to and from the workplace and usual residence of the employee.

- The Manager Operations may elect to take Restricted Private Use of the vehicle by contributing *\$25/week after tax, drawn from their salary.
*The level of contribution will be subject to an annual review and any adjustments shall be affected as at 1 July each year. The adjustment in percentage on the above payment shall not exceed any increase in the operating costs of vehicles as outlined on the RAC website consumer guide to vehicle running costs.
- Use of the Manager's vehicle is unlimited on sites owned or managed by the MRC. Use of all the vehicles are otherwise limited to sealed roads, unless varied by the Chief Executive Officer (CEO), or in the case of the CEO, by Council.
- During working hours the vehicle is to be made available to other staff members when not required by the Manager or relevant officer.
- All vehicle maintenance and repairs will be provided other than for the CEO if the Novated Lease option of the CEO's contract is elected, in which case the contract conditions will prevail.

7. Fuel costs will be provided as follows:

Use Type	Fuel Purchase
Unrestricted Private	for all use
Restricted Private	for all use other than weekends where travel is outside the Metropolitan Area (Scheme Boundary) when the employee will meet the cost of refuelling.
Commuter	Use between the workplace and usual residence of the employee
Note: Wherever possible the fuel station at Tamala Park should be used. Where an employee with Restricted Private Use refuels the vehicle at the weekend to travel outside the metropolitan area the employee must meet the cost of refuelling and provide receipts for any fuel purchases to the Director Corporate Services as soon as practicable. (This is for Fringe Benefits Tax reduction purposes).	

8. The spouse or partner, family members or friend of an employee who is provided with a vehicle under this clause is permitted to drive the vehicle. A friend may only drive the vehicle when the vehicle is not required for work purposes and the employee is an occupant of the vehicle.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	14/8/2018 1. At point 1, remove rows for Site Supervisor and Plant Supervisor 2. At point 3, delete words 'Site Supervisor and Plant Supervisor' 3. At point 4, delete word 'supervisor's' and add sentence to clarify the use of the vehicles on sealed roads
Delegation to the Chief Executive Officer	Nil

Policy No: CP 09

Reference: D/20/4264

Policy Title: Investments

Policy Statement:

To ensure that funds held by the Council are invested:

1. In a conservative manner, whilst striving to achieve the best outcome for the Council;
2. So as to yield a suitable level of diversification of counter party risk;
3. So as to maintain a low level of risk exposure by using recognised rating criteria; and
4. So as to allow for ready access to funds for day to day requirements.

Policy Procedure:

1. Reserve Funds and funds surplus to the immediate needs of the Regional Council may be invested with financial institutions with a Standard and Poors rating of "AA-" or better.
2. Where funds are invested with a financial institution whose credit rating falls below the prescribed level, the funds are to be liquidated in the most effective and expedient manner.
3. Funds may only be invested in interest bearing deposits or other bank guaranteed instruments.
4. Where the funds are placed for a tenor of not more than 90 days, they may be invested with one financial institution.
5. Where the funds are placed for a tenor exceeding 90 days, no more than 50% of the total funds shall be held by any one institution. The tenor of any investment is not to exceed 365 days.
6. Details of the performance and amounts invested with each financial institution shall be reported regularly in the Regional Council's Members' Information Bulletin.
7. Where practical, funds should be invested in such a manner as to provide sufficient access to funds within any normal payment cycle.
8. The Regional Council's investment portfolio is not to be leveraged to obtain funding.
9. Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy and the investment offers returns that are at least equal to those offered by other financial institutions. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information

Legislation	Local Government Act 1995 s.6.11, s.6.14 Local Government (Financial Management) Regulations 1996 Reg.17, Reg.19
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	02/05/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	04/09/2014 - Changes made to procedure for clarity as per recommendations made by MRC Auditors.
Delegation to the Chief Executive Officer	Yes

Policy No: CP 10

Reference: D/20/4265

Policy Title: Donations – Financial Assistance/Support

Policy Statement:

To provide support to community groups, schools and MRC employees.

Procedure:

1. A not-for-profit community group (incorporated) or school within the Region that is performing an activity or activities that assists the MRC in achieving its objectives may be provided with a donation of up to \$500 or a discount on MRC goods and services up to a value of \$500 in any financial year.
2. An employee who is selected by a:
 - a. sporting governing body to represent the State/Commonwealth in a recognised sporting event; or
 - b. recognised educational institution to represent the State/Commonwealth for academic or educational achievement,
 may be provided with a donation of \$200 if the representation is at a State level or \$500 if the representation is at a Commonwealth level.
3. Applications must be made in writing, addressed to the Chief Executive Officer.
4. The Chief Executive Officer is authorised to accept or decline any application.
5. Retrospective applications will not be considered.
6. Donations made under delegated authority will be reported to Council via the Members' Information Bulletin annually.
7. Applications that fall outside this policy may be referred to Council for determination.

Legislation	N/A
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	14/08/2018 Point 1 and 2. Minor text/grammar 18/06/2020 Donations wording clarity
Delegation to the Chief Executive Officer	

Policy No: CP11

Reference: D/14/4266

Policy Title: Use of Corporate Credit Cards

Policy Statement:

The purpose of this policy is to prescribe the principles governing the use of corporate credit cards by employees and to outline the responsibilities of cardholders.

Policy Procedure:

1. The issuing of corporate credit cards (Cards) to employees is at the discretion of the Chief Executive Officer (CEO). Where a Card is to be issued to the CEO, this is to be approved by Council. Any increases in the CEO's credit limit are to be approved by Council.
2. Each cardholder is to be provided with a copy of this policy when their Card is issued and they are to sign a copy of this policy as evidence of their agreement to abide by the policy.
3. Where more than one Card is in issue, a register of cards is to be maintained, outlining the following:
 - Holder's name
 - Card number
 - Expiry date
 - Credit limit
4. On termination of employment, a cardholder's Card is to be surrendered to the Mindarie Regional Council (MRC). The Card will then be cancelled with immediate effect and physically destroyed.
5. Cards are not to be used by anyone other than the cardholder, except with the express authorisation of the CEO. Cardholders are required to take appropriate steps to keep their PIN secret and to prevent the theft or loss of their Card. Where a Card is lost or misplaced, the cardholder is to notify the MRC immediately.
6. The benefits from any reward scheme/s linked to the Card accrue to the MRC and not the employee. The CEO may exercise his discretion as to how these reward benefits are to be applied for the benefit of the MRC.
7. The credit limit on each Card is to be determined by the CEO, but may not exceed the value of an employee's delegated financial authority.
8. Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited. All purchases are to be made in accordance with policy CP06 – Purchases of Goods and Services.
9. Cardholders are to provide receipts each month to substantiate expenditures on their Card. Card expenditures and receipts are to be reviewed by the Director Corporate Services monthly.
10. A summary of expenditures incurred by the CEO on the MRC credit card will be presented to each Council meeting as part of the financial reporting pack.
11. Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.

Legislation	Local Government Act 1995 s.2.7(2)(a) and (b), s.6.5(a) Local Government (Financial Management) Regulations 1996 Reg.11(1)(a)
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	03/09/2014; 20/08/2015; 01/09/2016; 14/09/17; 14/08/2018, 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	14/08/2018 Insert new sentence at point 10, previous point 10 changed to point 11.
Delegation to the Chief Executive Officer	Yes

Policy No: CP12**TRIM Reference: D/20/4267****Policy Title: Gate Fee Setting****Policy Statement:**

The purpose of this policy is to outline the principles for gate fee setting.

Policy Procedure:

1. The Mindarie Regional Council (MRC) will set the Members' and Non-members' gate fee rates in the budget each year such that the MRC is able to:
 - Cover the costs of its operations, including the costs associated with the Resource Recovery Facility
 - Adequately fund its site restoration and post closure liabilities
 - Adequately fund its non-infrastructure capital expenditures
 - Keep its liquidity and debt ratios within the levels prescribed in the 20-year Financial Plan
2. Non-members' gate fee rates are to be set so as to cover the cost of the service at a minimum.
3. The distribution of a year-end surplus will be determined by Council when adopting the Annual Report and Audited Financial Statements.
4. The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.
5. The Chief Executive Officer may approve a discount to the Non-Members' gate fee in line with limits set as part of the annual budget process.
6. Specific fees and charges for others services provided by the MRC are to be set so as to cover the cost of the service at a minimum.

The gate fee rates are to be reviewed annually during the mid-year budget review and the Council may choose to adjust the gate fee rates to take into account an expected deficit or surplus if it deems it appropriate to do so.

Legislation	Local Government Act 1995 s.6.16
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	03/09/2015; 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	Yes

Policy No: CP13**Reference: D/20/4268****Policy Title: Budget Variance Reporting Threshold****Policy Statement:**

To set the threshold for variances (\$) that are required to be reported to Council in the Month End Financial Statements.

Policy Procedure:

The following year-to-date variances to Budget will be reported in the Financial Statements for each month presented to Council.

Revenue:

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.

Expenses:

1. All Expense variances (Per Line Item) greater than \$100,000.

Legislation	Local Government (Financial Management) Regulations 1996
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	01/09/2016; 14/09/17, 14/08/2018; 13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	Nil
Delegation to the Chief Executive Officer	Nil

Policy No: CP 14

Reference: D/20/4269

Policy Title: ACTING CHIEF EXECUTIVE OFFICER APPOINTMENT

PURPOSE

To provide guidance to the **Council's appointed** Chief Executive Officer (CEO) for the process of appointing an Acting CEO in the event the incumbent is not available to perform normal duties

or

to provide guidance to the **Council's appointed** Interim Chief Executive Officer (ICEO) for the process of appointing an Acting CEO in the event the incumbent is not available to perform normal duties.

For this policy:

1. **CEO** is the Council appointed Chief Executive Officer
2. **ICEO** is the Council appointed Interim Chief Executive Officer
3. **Acting CEO** is appointed by either the CEO or the ICEO.

OBJECTIVE

To:

1. ensure that the Council is not without a CEO for any period;
2. remove uncertainty on the procedure to follow when the CEO or ICEO is absent or not available to perform normal duties; and
3. provide for an orderly transfer of power.

PROCEDURE

The role of the CEO or ICEO may be delegated as follows:

1. When leave or other absence from the office is known and or arranged in advance.
 - 5 Days or less
 - a) No need to appoint an Acting CEO if the CEO or ICEO is contactable.
 - b) Discretion of the CEO / ICEO whether Acting CEO is necessary.
 - c) CEO/ICEO to appoint Acting CEO if necessary.

More than 5 days up to 3 months

- a) CEO/ICEO to appoint an Acting CEO.

The appointment of an Acting CEO for periods in excess of 3 months should be presented in a report to Council for consideration.

2. Absence from Australia for any reason, including leave or work related travel, the CEO/ICEO is to appoint an Acting CEO.
3. If the position of CEO/ICEO is vacant for any reason other than the above:
 - a) The Council is to appoint an Acting CEO, at the next scheduled ordinary Council meeting if the timing of the meeting allows for the timely appointment to occur,

Otherwise;

- b) The Chairman shall call for a Special Council meeting for the purpose of appointing an Acting CEO.

Where the CEO/ICEO delegates any powers to an Acting CEO, the delegations are to be made in accordance with the Act.

The CEO / ICEO will provide delegations in writing and may be general or as otherwise provided in the instrument of delegation to the Acting CEO.

If the position of the CEO/ICEO is vacant, the Council will provide delegations in writing and may be general or as otherwise provided in the instrument of delegation to the Acting CEO.

Legislation	Local Government Act 1995 (Section 5.36, 5.37, 5.39, 5.42)
Reference/s	
Attachment/s	
Council Meeting Date	
Responsible Officer	CEO
Review History	13/08/2019, 18/06/2020
Next Review Date	01/08/2021
Revision History	13/08/2019 no change

Policy No: CP16

Reference: D/20/4271

Policy Title: Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.

Policy Statement:

The Council may provide financial assistance to relevant persons in connection with the performance of their functions provided that the relevant person has acted in good faith and in accordance with their role(s), power(s) and responsibility(s).

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the Council.

Definitions

Approved lawyer is to be:

- a) A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) From a law firm listed as a WALGA preferred supplier, if relevant, unless the Council considers that this is not the appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) Approved in writing by the Council or the Chief Executive Officer (CEO) under delegated authority.

Council is the Mindarie Regional Council

Good faith means a sincere belief or motive without any malice or desire to defraud others.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of;

- a) A matter or matters arising from the performance of the functions of the relevant person; and
- b) Legal proceedings involving the relevant person that have been or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services include advice, representation or documentation that is provided by an approved lawyer.

Payment by the Council of legal representation costs may be either by:

- a) A direct payment to the approved lawyer; or
- b) A reimbursement to the relevant person.

Relevant Person mean a current or former Elected Members, Committee Members and Employees of the Council.

Procedure:

1. Payment Criteria

- 1.1. There are four major criteria for determining whether the Council will pay the legal representation costs of a relevant person. These are:
- a) The legal representation costs must relate to a matter that arises from the performance by the relevant person, or his or her functions;
 - b) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - c) In performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
 - d) The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- 2.1. If the criteria in clause 1 of this policy are satisfied, the Council may approve the payment of legal representation costs:
- a) where proceedings are brought against a relevant person in connection with his or her functions an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions (e.g. where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved (e.g. where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.)
- 2.2. The Council will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

3. Applications for Payment

- 3.1. A relevant person who seeks assistance under this policy is to make an application in writing to the Council or the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Council for payment to be made.
- 3.3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4. As far as possible the application is to be made before commencement of the legal representation to which the application relates.

3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:

- a) has read and understands, the terms of this policy;
- b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
- c) undertakes to repay the Council any legal representation costs in accordance with the provisions of clause 7.

3.6. In relation to clause 3.5 (c), when a relevant person is to be in receipt of such monies the relevant person should sign a document which requires repayment of that money to the Council as may be required by the Council and the terms of the Policy.

3.7. An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – Limit

4.1. The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application or any other amount that it sees fit.

4.2. A relevant person may make a further application to the Council in respect of the same matter.

5. Council's Powers

5.1. The Council may:

- a) refuse;
- b) grant; or
- c) grant subjects to conditions,

an application for payment of legal representation costs.

5.2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

5.3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Council relevant person's insurance policy or its equivalent.

5.4. The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

5.5. The Council may, subject to clause 5.6, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:

- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b) given false or misleading information in respect of the application.

5.6. A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.

5.7. Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Council are to be repaid by the relevant person in accordance with clause 7.

6. Delegation to the Chief Executive Officer

- 6.1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.
- 6.3. This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

7. Repayment of Legal Representation Costs

- 7.1. A relevant person whose legal representation costs have been paid by the Council is to repay the Council:
 - a) all or part of those costs – in accordance with a determination by Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off, where the relevant employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Council paid the legal representation costs.
- 7.2. The Council may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

Legislation	<i>Local Government Act 1995 S9.56, S3.1, S6.7(2)</i> <i>Legal Profession Act 2008</i>
Guidelines	Department of Local Government of Communities Operational Guideline No 14 Legal Representation for Council Members and Employees April 2006
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	01/08/2019, 18/06/2020
Next Review Date	01/08/2021
Delegation to the Chief Executive Officer	

Policy No: CP17**Reference:** D-20-0011724**Policy Title:** Elected Member continuing professional development**Policy Statement:**

The Mindarie Regional Council (MRC) is required to adopt a policy regarding the continuing professional development of council members.

The MRC is made up of seven local governments comprising of the Cities of Joondalup, Perth, Stirling, Vincent, Wanneroo and the Towns of Cambridge and Victoria Park.

Policy Procedure:

Under section 5.128 of the Local Government Act 1995 (the Act), local governments are required to have adopt a policy regarding the continuing professional development of council members.

The MRC's Councillors are each required to complete training that is set in the regulations within twelve (12) months of being elected by their respective local government.

Each of the MRC's member councils is required to prepare and adopt a policy for the continuing professional development of its council members.

Each member council CEO is required to prepare a report per financial year outlining the training that has been completed by each of their respective council members in that financial year.

Each member council CEO is then required to publish the report on the local government website within one month of the end of the financial year.

The policy, training and reporting requirements of the MRC Councillors, as required under the Act, are fulfilled by the training undertaken through their respective councils.

To comply with the requirements of the Act, the MRC's website will provide a link to each member councils' website where compliance with the policy, training and reporting requirements in respect of each of the MRC's respective councillors is evidenced. In addition, the MRC requires Councillors, within 3 months of their appointment onto the MRC, to take part in a tour of MRC facilities and to complete the next WASTE 101 training course delivered by WALGA.

Legislation	Local Government Act 1995 s.5.128
Responsible Officer	Chief Executive Officer
Council Meeting Date	24 September 2020
Review History	
Next Review Date	01/08/2021

Delegation to the Chief Executive Officer	Nil
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DRAFT

Policy No: CP18

Reference: D-20-0013368

Policy Title: Information Technology Policy
PURPOSE

To show that the Mindarie Regional Council (MRC) is committed to managing and maintaining its Information Technology whilst using current best practices.

- The MRC practices the highest levels of security measures to ensure the safety of its data. This is achieved by partnering with the Australian Cyber Security Centre (ACSC) and the WA Local Government Association (WALGA) IT development division, to stay informed of current best practice in local government.
- The MRC assists users to make appropriate use of the MRC's Information Technology resources and keeps users regularly informed about the consequences of misuse, to avoid exposure to viruses and attacks that can compromise the network and its data.
- The MRC manages all records in compliance with the State Records Act 2000 and Australian Standards on Records Management AS ISO 15489.
- The MRC provides employees with regular training on new systems and hardware to keep users competent in current best practice.
- The MRC manages all Information Technology assets and maintains its warranty and licensing to ensure all hardware and systems are compliant.
- The MRC completes quarterly access audits across all its systems to ensure that users have the correct permissions for their roles.
- The MRC maintains an Information Technology strategic plan to project future upgrades to, or replacements of software, systems and hardware, ensuring that the MRC's systems continue to meet the needs of the organisation.

Legislation	
Reference/s	
Attachment/s	Nil
Responsible Officer	Chief Executive Officer
Council Meeting Date	
Review History	07/09/2020
Next Review Date	
Revision History	