



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

24 NOVEMBER 2022

TOWN OF VICTORIA PARK

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.30 pm

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillor Attendance

Cr K Vernon (Chair)	Town of Victoria Park
Cr A Jacob	City of Joondalup
Cr C May	City of Joondalup
Cr L Gobbert, JP	City of Perth
Cr C Hatton	City of Stirling <i>entered at 6.36 pm</i>
Cr S Proud, JP	City of Stirling
Cr J Ferrante	City of Stirling
Cr Lisa Thornton	City of Stirling
Cr F Cvitan, JP	City of Wanneroo
Cr P Miles	City of Wanneroo

MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Arapovic (Finance Manager)
Mr B Twine (Operations Manager)
Ms S Cherico (Human Resources Officer)
Ms D Toward (Executive Support)

Apologies

Cr A Castle City of Vincent

Approved leave of absence

Cr E Re City of Stirling

Member Council Observers

Mr M MacPherson	City of Joondalup
Mr R Bryant	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr A Kowero	City of Wanneroo
Mr J Wong	Town of Victoria Park

3 DECLARATION OF INTERESTS

Interest Type	Impartiality
Name and Position of Person	Cr Liam Gobbert
Report No and Topic	9.3 Extension to Site Access Agreement for Not-for-Profit Training Provider
Name of Interest	I have liaised directly with Workpower and have awarded work to the company through my employer, the Public Transport Authority

Interest Type	Impartiality
Name and Position of Person	Cr Liam Gobbert
Report No and Topic	9.4 Provision of Caretaker House Access for the delivery of Assisted Living Programs
Name of Interest	I have liaised directly with Workpower and have awarded work to the company through my employer, the Public Transport Authority

4 PUBLIC QUESTION TIME

Public question time opened at 6.32 pm
There were no members of the public present.
Public question time closed at 6.32 pm

5 ANNOUNCEMENT BY THE PRESIDING PERSON

The Chair also welcomed the City of Stirling Deputy Mayor, Cr Stephanie Proud, to the meeting as the City's alternate member covering the approved leave of absence for Cr Elizabeth Re.

The Chair announced the resignation of Mr Brendan Twine from his position of Manager Operations. The Chair acknowledged Mr Twine's professionalism and contribution to the Leadership Team and his support to the CEO. On behalf of Council, the Chair wished Mr Twine well for his future endeavours.

6 APPLICATION FOR LEAVE OF ABSENCE

Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 ORDINARY COUNCIL MEETING – 29 SEPTEMBER 2022

The Minutes of the Ordinary Council Meeting held on 29 September 2022 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 29 September 2022 be confirmed as a true record of the proceedings.

Moved Cr Miles, seconded Cr Jacob

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 9/0)

9	CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 SEPTEMBER 2022
Reference:	GF-21-0000196
Appendix(s):	Appendix No. 1 and No. 2
Date:	07 November 2022
Responsible Officer:	FINANCE MANAGER

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

DETAIL

The Financial Statements for the month ended 30 September 2022 is attached at **Appendix No. 1** to this Item. The Tonnage Report for the two months to 30 September 2022 is attached at **Appendix No. 2**.

The financial statements are pending external auditor approval and are subject to change.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year to date period ended 30 September 2022

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	44,182	44,800	(618)
Tonnes – Others	16,205	8,576	7,629
TOTAL TONNES	60,387	53,376	7,011
	\$	\$	\$
Revenue – Members	6,511,112	6,496,000	15,112
Revenue – Other	3,662,861	2,762,183	900,678
TOTAL REVENUE	10,173,973	9,258,183	915,790
Expenses	9,356,461	8,859,056	497,405
Expense Roundings	-	-	-
Profit on sale of assets	-	-	-
Loss on sale of assets	-	-	-
Impairment of assets	-	-	-
NET SURPLUS/(DEFICIT)	817,512	399,127	418,385

Members

Members tonnages for the financial period ended 30 September 2022 were 618 tonnes below budget. Member Councils delivered 3,245t less processable tonnes and 2,627t more non processable tonnes with one member the City of Stirling delivering 2838t more non processable waste than budget set for the year.

Total user charges were \$896k in excess of year to date budget, Member councils \$15k and non-members \$881k respectively.

Trade & Casuals

The Casual and Trade tonnages were 7,629 tonnes higher than forecast for the financial year to date, a significant 11,997 tonnes delivered through the discounted rate waste tender and as a result of successful extension of Trade Waste Discount rate to one of the tender contracts.

Overall 7,011 additional tonnes have been received to date.

The net result variance against budget of \$418k is attributable to increased tonnages above budgeted forecast abated by increased landfill levy cost which exceeded budget by \$420k and amortisation for cell development by \$101k.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 30 September 2022.

Moved Cr Cvitan, seconded Cr May

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

Cr Hatton entered the meeting at 6.36 pm

9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 SEPTEMBER 2022
File No:	GF-21-0000196
Appendix(s):	Appendix No. 3
Date:	7 November 2022
Responsible Officer:	Finance Manager

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the month ended 30 September 2022 is at **Appendix 3** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 29 September 2022, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
30 September 2022	General Municipal	Cheques	\$510.00
		EFT	\$1,081,060.62
		DP	\$3,966,262.47
		Inter account transfers	\$0.00
		Total	\$5,047,833.09

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 30 September 2022.

Moved Cr Jacob, seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

9.3	EXTENSION TO SITE ACCESS AGREEMENT FOR NOT-FOR-PROFIT TRAINING PROVIDER
File No:	GF-20-0001585, GF-20-0001713, GF22-0000046
Appendix:	Nil
Date:	28 October 2022
Responsible Officer:	Operations Manager

SUMMARY

This report seeks Council's endorsement to provide one three (3) year extension to the existing access agreement between the Mindarie Regional Council (MRC) and Stirling Skills Training Inc. (SST) to deliver not-for-profit training and education programs at Tamala Park.

BACKGROUND

At the OCM held on 17 December 2020, Council endorsed the administration's request to provide access for SST to the Tamala Park Waste Management Facility (TPWMF), on a 12-month trial basis, for the delivery of not-for-profit training and education programs. A further 12-month extension was subsequently endorsed at the 11 November 2021 OCM.

The initial request was to enable SST to deliver State Government-subsidised training programs at the TPWMF by providing access to a disused section of the quarry as a realistic training environment for participants. Under the original agreement, SST partnered with the Training Alliance Group (TAG) to assist in delivering the State Government's Participation Equity Program. The stated aims of this program are;

"... to assist unemployed people who have barriers accessing mainstream training to become job ready, so they can participate fully in the workforce. The eligible target groups under this program are; Aboriginal and Torres Strait Islanders; Culturally and Linguistically Diverse (CaLD); people with disabilities, and youth at risk."

The current agreement is due to expire on 31 December 2022.

DETAIL

When Council first endorsed this access agreement, the partnership was between the MRC and Stirling Skills Training (SST). SST is a Perth based not-for-profit (NFP) training organisation that was established in 1984, with the goal of providing human and charitable services to relieve unemployment, economic hardship and misfortune in the community.

SST continues to progress their stated aims in Western Australia, however as the training activities at Tamala Park have evolved, the opportunity for the MRC to partner directly with Workpower Inc. presents additional opportunities for people with a disability to access this training, along with trainees under the State's Participation Equity Program. Through their existing partnerships, SST will maintain awareness of the training delivered at Tamala Park but will relinquish their position as the engaged party to make way for Workpower and the additional opportunities that Workpower will support.

As was the case when SST was the lead NFP provider for this agreement, Workpower intends to continue the partnership with the TAG, a Registered Training Organisation (RTO), to deliver

the programs delivered under the State Government's Participation Equity Program, managed by the Department of Training and Workforce Development.

These programs see cohorts of students operating plant and machinery under supervision at the TPWMF over a period of 12 weeks to achieve nationally accredited qualifications before graduating and entering the workforce.

As a trusted and proven partner to the MRC via their operations of the onsite Recycling Centre, Workpower will continue to maintain access to their own plant and machinery and holds suitable insurance coverage for the proposed activities, as well as suitable Work Health and Safety systems. Provision for MRC staff to access this equipment on an as-required basis has also been established and seeks to expand the depth of experience of MRC's plant operators.

Over the past two years of this agreement, the MRC has not experienced any notable impacts to operations from this training and does not anticipate any adverse impact to operations arising via an extension to the current agreement.

The proposed term of this agreement is for a maximum of 3 years and aligns with the end of the initial term provided to Workpower for the operation of the Tamala Park Recycling Centre, as well as the term of appointment by the State Government for the delivery of these programs.

CONSULTATION

No additional consultation with MRC stakeholders has occurred since the initial endorsement was received from Council at the 17 December 2020 OCM.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The MRC bears no financial commitment under this agreement. All costs associated with daily operations, including mobilisation and demobilisation, are the sole responsibility of Workpower. It remains a condition of this agreement with Workpower that no for-profit activities associated with this training take place at the TPWMF.

The MRC is not seeking compensation for providing access to the quarry.

VOTING REQUIREMENT

Simple Majority.

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Endorses the CEO to provide access to Workpower Inc. to the Tamala Park Waste Management Facility, for a term of 3 years, for the delivery of not-for-profit training and education programs.

Moved Cr Cvitan, seconded Cr Thornton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

9.4	PROVISION OF CARETAKER HOUSE ACCESS FOR THE DELIVERY OF ASSISTED LIVING PROGRAMS
File No:	GF-22-0000047
Appendix:	Nil
Date:	31 October 2022
Responsible Officer:	Operations Manager

SUMMARY

This report seeks Council's endorsement to provide Workpower Inc. access to the disused caretaker's house at the Tamala Park Waste Management Facility (TPWMF) for the delivery of NDIS affiliated community programs.

BACKGROUND

In September 2022, the Mindarie Regional Council (MRC) received an enquiry from Workpower Inc. regarding the potential use of the old caretaker's house at Tamala Park for the delivery of National Disability Insurance Scheme (NDIS) assisted living programs. As the contracted party to the MRC for the operation of the Tamala Park Recycling Centre, Workpower are familiar with the caretaker's house and the wider operations at Tamala Park.

The caretaker's house resides within the leased area of the TPWMF and is a legacy asset reflective of the MRC's origins, originally constructed as the onsite residence for the caretaker when the landfill first opened in 1991. As time progressed and the area surrounding Tamala Park became more urbanised, the need for the house to serve its original purpose has diminished.

As a result, the house has not been used as a residence for many years and has recently served as an education centre for visiting school groups when the MRC was resourced with a community education team. Over the past two years, the house has sat dormant and used as a general storage area for non-essential items.

Due to the age of the property, the condition of the house has degraded considerably over time and is not considered suitable for habitation or commercial letting in its current state, nor does it serve an operational purpose in support of existing MRC activities on site.

DETAIL

Workpower is a registered NDIS service provider and has successfully incorporated the delivery of NDIS supported development plans into their operations at Tamala Park, principally via the Reuse shop.

The principal objective of this new access agreement is to provide Workpower with a suitable training environment for the delivery of NDIS affiliated community education programs. The following programs have been identified as compatible with the caretaker's house.

- Community Support: Activities to help NDIS participants learn daily living skills, life skills, social skills etc.
- Skills Development: Designed to assist participants in securing employment in the community.
- Skills Training: To assist participants in learning technology and office systems.

- Employment Support: Designed to assist participants in finding, applying and preparing for jobs, and presenting themselves for interviews, including the conduct of mock interviews.
- School Holiday Support: Activities to help support young people with a disability with activities during the school holidays (which also supports families who work).

Due to the nature of the property being a fully functioning house, the Community Support activities listed above are considered highly compatible with this property. Where suitable, participants will also be provided access to materials from the Recycling Centre for the purposes of upcycling products, which will then be returned to the reuse shop for sale to the general public. All activities will occur during normal hours of operation for the TPWMF, with no anticipated adverse impact to Operations as a result of this agreement. At no stage will the house be permitted to be used as an accommodation facility on either a temporary, short or long term basis.

Before commencing the delivery of community programs, Workpower have proposed to renovate the property to return the house to a workable condition for the proposed activities at an estimated cost to Workpower of \$20,000.

This access agreement has been intentionally kept separate from the existing Reuse Shop licence agreement due to the subtle differences in the overall objectives of these programs, those being direct operational support to the MRC for a site based service vs this ancillary program. For continuity, the expiry dates of both agreements have been aligned to conclude at the same time, with no provision for optional extensions in this access agreement.

As a trusted service provider through their operation of the Recycling Centre, the opportunity to further partner with Workpower in supporting community members through the provision of a realistic training environment is considered by the administration to be a beneficial use of this dormant asset.

CONSULTATION

No external consultation has occurred with Member Councils in relation to this agreement. Internally, the MRC administration has not identified any operational or strategic need for the caretaker's house for the term of this agreement.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The MRC bears no additional financial responsibility from this agreement. Workpower are required to maintain the premises at their own cost and pay for utilities, in addition to holding adequate insurance to cover the proposed activities.

The MRC is not seeking compensation for providing access to the caretaker's house and will benefit from the cosmetic improvements made to this asset upon the commencement of this agreement.

VOTING REQUIREMENT

Simple Majority.

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Endorses the CEO to provide Workpower Inc. access to the caretaker's house at the Tamala Park Waste Management Facility, for a term of three (3) years, for the delivery of NDIS assisted living programs.

Moved Cr May, seconded Cr Hatton

PROPOSED AMENDMENT

Moved Cr Vernon, Seconded Cr Proud

1. Approves the grant of access to Workpower Inc. to the caretaker's house at the Tamala Park Waste Management Facility, for a term of three (3) years, for the delivery of NDIS assisted living programs.

2. Authorises the CEO to execute an agreement with Workpower Inc for access to the Caretaker's House in accordance with point one above on terms and conditions acceptable to the Mindarie Regional Council including but not limited to the terms in the addendum to item 9.4.

Reason for Amendment:

To reflect both the grant of access and the authorisation to enter into an agreement to reflect that access.

Cr Jacob left the meeting at 5.52pm

CARRIED UNANIMOUSLY (9/0)

SUBSTANTIVE RECOMMENDATION AS AMENDED

(CARRIED UNANIMOUSLY 9/0)

9.5	PROPOSED MINDARIE REGIONAL COUNCIL WASTE FACILITY SITE AMENDMENT LOCAL LAW 2022
	GF-21-0000035
Appendices:	Appendix 4 Proposed Mindarie Regional Council Waste Facility Site Amendment Local Law 2022 (Tracked changes) Appendix 5 Proposed Mindarie Regional Council Waste Facility Site Amendment Local Law 2022
Date:	1 November 2022
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to seek Council's approval to make the Mindarie Regional Council (MRC) Waste Facility Site Amendment Local Law 2022.

BACKGROUND

The existing MRC Waste Facility Site Amendment Local Law 2020 ("the Local Law") was adopted by Council on 16 September 2021. Post a full review of the MRC Waste Facility Site Local Law 2013 under Section 3.16 of the Local Government Act 1995 ("the Act"), which requires a periodic review of the Local Law.

On 18 August 2021, the Joint Standing Committee on Delegation reviewed the Local Law and responded with undertakings to amend Local Law.

On 26 May 2022, the Committee wrote to the MRC seeking an update on the status of the amendments, as according to the records of the Department of Local Government, Sport and Cultural Industries Local Laws Register, no amendments had been made to this Local Law.

On 15 June 2022 the MRC Administration provided a report to Council enclosing a proposed amended Local Law summarising the purpose and effect, the Council recommendation as follows:

That Council:

1. Approves the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022 as detailed in Appendix 4 for the purposes of public advertising, under section 3.16 of the Local Government Act 1995; and
 2. Notes that the MRC is to invite submissions to the amended Mindarie Regional Council Waste Facility Site Amended Local Law 2022 by way of a statewide public notice; and
 3. Notes that a copy of the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022 will be sent to the Minister for Local Government under section 3.12 of the Act and the Minister for Environment administering the Waste Avoidance and Resource Recovery Act 2007; and
-

4. Notes that the matter will be referred back to the Council after the last day for submissions in relation to the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022.

DETAIL

The MRC Administration gave public notice and invited submissions for the proposed Local Law in the government section of the Western Australian Newspaper, the Community Newspapers and displayed on the MRC website on 4 August 2022.

On 4 August 2022 the proposed amended Local Law was forwarded to the Department of Local Government, Sports and Cultural Industries (“the Department”) requesting their review and a response was received on 14 September 2022.

The Department suggested a number of minor edits which are shown in the tracked changes at Appendix 1. These minor amendments are not considered significant enough to require the MRC to recommence the local law process.

The Department suggested the following minor amendments:

- Title and Clause 1 - change to read as follows;
 - “Mindarie Regional Council Waste Facility Site Amendment Local Law 2022”.
- Clause 3 - change to read as follows
 - “This local law amends the Mindarie Regional Council Waste Facility Local Law 2012, as published in the Government Gazette on 12 May 2012 and as amended in the Government Gazette on 15 March 2013 and 12 February 2021”
- Clause 4 – change as follows;
 - In the clause title after “27” insert “amended”.
 - In the first line, change “Remove” to “Delete”.
 - Reword the second line to read “In Clause 27B the clause heading is amended by changing “27B” to “27””.
 - Redesignate the two lines as subclause (1) and (2).
- Schedule 1 - change as follows;
 - (a) In item 18 change “27A” to “27”,
 - (b) In item 19 change “27B” to “27”
 - (c) Item 20 is deleted.

After the last day of submissions, 7 October 2022, no public submissions were received by the MRC Administration, therefore no other changes have been considered.

All suggested Departmental changes have been made in the Local Law and the changes are tracked in Appendix 1, an updated final version in Appendix 2.

CONSULTATION

The draft Local Law has been provided to the Department for comment and has been made available for public comment as required.

Comments received back from the Department are considered to be minor in nature and have been incorporated in the final version of the Local Law. None of the changes made would require further public consultation to be undertaken.

No comments were received from members of the public.

STATUTORY ENVIRONMENT

The process for advertising the Local law is covered in s1.7 and s1.8 of the *Local Government Act 1995*, which reads as follows:

“1.7. Local public notice

Where under this Act local public notice of a matter is required to be given, notice of the matter must be —

- (a) published on the official website of the local government concerned in accordance with the regulations; and
- (b) given in at least 3 of the ways prescribed for the purposes of this section.

1.8. Statewide public notice

Where under this Act Statewide public notice of a matter is required to be given, notice of the matter must be given in accordance with section 1.7(a) and (b) and the requirements prescribed for the purposes of this section.

The process for amending the text of a Local Law is covered in s3.12 of the *Local Government Act 1995*, which reads as follows:

“3.12 Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give local public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*

- (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. *Procedure where significant change in proposal*

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. *Commencement of local laws*

- (1) *Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*
- (2) *A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

[Section 3.14 amended: No. 1 of 1998 s. 9.]

3.15. *Local laws to be publicised*

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. *Periodic review of local laws*

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give local public notice stating that —*
 - (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.”*

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising cost of approximately \$2500 for the Gazette and local public notices.

COMMENT

Nil

VOTING REQUIREMENT

Absolute majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. resolves to make the Mindarie Regional Council Waste Facility Site Amendment Local Law 2022 as detailed in Appendix 4 and authorises the Common Seal to be affixed;**
(Absolute Majority Required)
- 2. under section 3.12 (5) of the Act, authorises the publication of the Mindarie Regional Council Waste Facility Site Amendment Local Law 2022 in the Gazette and the provision of a copy to the relevant Minister/s; and**
- 3. under section 3.12 (6) of the Act, authorises the MRC to give local public notice in respect of the Mindarie Regional Council Waste Facility Site Amendment Local Law 2022.**

Moved Cr Vernon, Seconded Cr Hatton

(CARRIED UNANIMOUSLY 9/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 72

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 72 be received.

Moved Cr Cvitan, seconded Cr Proud

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, the Chair requests the Council to meet “behind closed doors” to allow the Council to consider items 14.1 & 14.2 as the items are of a confidential nature.

No members of the public were present in the gallery.

Moved Cr Vernon, Seconded Cr Proud

Procedural Motion

1. Closes the meeting to the members of the public at 7.10pm to consider items 14.1, and 14.2 in accordance with Section 5.23 of the *Local Government Act 1995*.
2. Permits the MRC Chief Executive Officer, MRC staff, Member Council CEOs and Officers, to remain in the chamber during discussion for these items.

(CARRIED UNANIMOUSLY 9/0)

Doors closed at 6.58 pm

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2) (c) of *The Local Government Act 1995* as the report deals with a matter where a contract may be entered into

14.1 TENDER FOR THE PROCESSING AND RECYCLING OF GREEN WASTE

File No: GF-22-000472

Attachment(s): Nil

Date: 28 October 2022

Responsible Officer: Operations Manager

That Council:

1. **Authorise the CEO to award the tender for Pick up and or Drop off of Green Waste to be Recycled (Tender Number: 13/158) to Craneswest (WA) Pty Ltd at the prices detailed within the report.**

Moved Cr Ferrante, Seconded Cr Hatton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2) (c) of <i>The Local Government Act 1995</i> as the report deals with a matter where a contract has been entered into.	
14.2	GREEN DEAL ALLIANCE PROGRESS UPDATE
File No:	GF-22-0000407
Attachment(s):	Nil
Date:	3 November 2022
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Note the Green Deal Alliance progress report.**

Moved Cr Vernon, Seconded Cr Proud

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 9/0)

Moved Cr Vernon, seconded Cr Cvitan

Procedural Motion:

That Council:

- Reopen the meeting to members of the public at 7.01pm

To re-open the meeting to the public
(CARRIED UNANIMOUSLY 9/0)

Doors re-opened at 7.01 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors

15 NEXT MEETING

The next Ordinary Council meeting will be held on Thursday 15 December 2022 at the City of Perth commencing at 6.30 pm.

16 CLOSURE

The Chair closed the meeting at 7.01 pm and thanked the Town of Victoria Park for their hospitality and use of their meeting facilities.

SignedChair

Dated.....day of2022
