

AGENDA

D2022/17394

Agenda Briefing Forum 13 October 2022

Notice of Meeting

Dear Councillors

The next Agenda Briefing Forum will be held on Thursday, 13 October 2022 at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6:00pm.



Marcus Geisler | Chief Executive Officer

7 October 2022

Please Note

If any Councillor has a query regarding a report item or requires additional information in relation to a report item, please contact the responsible officer (SOURCE OF REPORT) prior to the meeting.

The meeting will be recorded for administrative purposes only.

Per the meeting structure as adopted by the EMRC Council, there will be no public questions at Agenda Briefing Forums.

Public question time will continue as usual at Ordinary Meetings of Council and questions may be submitted electronically prior to the meeting, no later than 4.00pm on the day of the meeting to CouncilEnquiry@emrc.org.au.



EMRC Council Members

Cr Mel Congerton	Chairman	City of Swan
Cr Dylan O'Connor	Deputy Chairman	City of Kalamunda
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Hilary MacWilliam	EMRC Member	Town of Bassendean
Cr Steven Ostaszewskyj	EMRC Member	City of Bayswater
Cr Michelle Sutherland	EMRC Member	City of Bayswater
Cr Margaret Thomas	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Doug Jeans	EMRC Member	Shire of Mundaring
Cr Charlie Zannino	EMRC Member	City of Swan

EMRC Council Deputies

Cr Emily Wilding	EMRC Deputy Member	Town of Bassendean
Cr Giorgia Johnson	EMRC Deputy Member	City of Bayswater
Cr Janelle Sewell	EMRC Deputy Member	City of Kalamunda
Cr Jo Cicchini	EMRC Deputy Member	Shire of Mundaring
Vacant	EMRC Deputy Member	City of Swan

Agenda Briefing Forum 13 October 2022

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

1.1 ACKNOWLEDGEMENT OF COUNTRY

We wish to acknowledge the traditional custodians of the land on which we meet today and to pay our respects to elders past, present and future.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

3 DISCLOSURE OF INTERESTS

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following confidential reports are covered in Section 6 of this agenda:

- EMRC REGIONAL WASTE COLLECTION SERVICE UPDATE
- EXTENSION PROPOSAL, RED HILL POWER FACILITY
- PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002 PERMANENT FOGO PROCESSING FACILITY
- ESTABLISHMENT AGREEMENT UPDATE

5 REPORTS OF EMPLOYEES

- 5.1 CLOSURE OF THE EMRC FACILITIES FOR THE UPCOMING CHRISTMAS/NEW YEAR 2022-2023 AND PUBLIC HOLIDAYS FOR 2023 (D2022/15057)
- 5.2 MAKING OF THE MEETING PROCEDURES LOCAL LAW 2023 (D2022/15065)
- 5.3 MEETING DATES FOR 2023 – ELECTION YEAR (D2022/15119)
- 5.4 INFORMATION BULLETIN – CIRCULAR ECONOMY REGIONAL HORIZON SCAN (D2022/17454)
- 5.5 INFORMATION BULLETIN – REPORT ON THE WA 2022 WASTE AND RECYCLE CONFERENCE (D2022/17542)

5.1 CLOSURE OF THE EMRC FACILITIES FOR THE UPCOMING CHRISTMAS/NEW YEAR 2022-2023 AND PUBLIC HOLIDAYS FOR 2023

D2022/15057

PURPOSE OF REPORT

The purpose of this report is to seek approval from Council for the closure of the EMRC facilities over the 2022/2023 Christmas/New Year period and Public Holidays for 2023.

KEY POINT(S)

- It is the standard practice for the EMRC Administration Office to close over the Christmas/New Year period.
- Closure of the waste management facilities open to the community is limited over the Christmas/New Year period and all public holidays.

RECOMMENDATION(S)

That Council approves:

1. The EMRC Administration Office being closed from 5:00pm Friday, 23 December 2022, and on each day thereafter, including all Public Holidays in 2023 until it re-opens on Tuesday, 3 January 2023.
2. The Hazelmere Resource Recovery Park being closed from 3:00pm Friday, 23 December 2022 and on each day thereafter, including all Public Holidays in 2023 until it re-opens on Tuesday, 3 January 2023.
3. The Red Hill Waste Management Facility being closed on Christmas Day (Sunday, 25 December 2022), Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
4. The Mathieson Road Transfer Station (Shire of Mundaring) being closed on Christmas Day (Sunday, 25 December 2022), New Year Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
5. The Coppin Road Transfer Station (Shire of Mundaring) will be closed on Christmas Day (Sunday, 25 December 2022) Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
6. The Baywaste Transfer Station (City of Bayswater) will be closed on Christmas Day (Sunday, 25 December 2022), Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).

SOURCE OF REPORT

Chief Operating Officer

BACKGROUND

- 1 Council at its meeting on 8 December 1994 resolved that the Red Hill Waste Management Facility (Red Hill) close on Christmas Day, New Year's Day, and Good Friday of each year. Consequently, over the Christmas/New Year period, Red Hill was closed on Christmas Day and New Year's Day. (Ref: DMDOC/148557).
- 2 It has been standard practice in the past to close the EMRC Administration Office during the Christmas and New Year period and to close the Hazelmere Resource Recovery Park (Hazelmere) between Christmas Day and New Year's Day (subject to operational requirements assessed closer to the Christmas/New Year closure period).

- 3 In 2021/2022, the EMRC Administration Office was closed from Friday, 24 December 2021, and re-opened on Tuesday, 4 January 2022. Hazelmere was also closed during the same period. In consultation with the Shire of Mundaring, the Mathieson Road, and Coppin Road Transfer Stations were closed on Christmas Day (Saturday, 25 December 2021) and Boxing Day (Sunday, 26 December 2021).
- 4 In July 2020, the EMRC began operating the Baywaste Transfer Station on behalf of the City of Bayswater. The Site Agreement states that the facility will close on Good Friday and Christmas Day, or as directed by the City of Bayswater

REPORT

- 5 It is proposed that the EMRC Administration Office be closed from 5:00pm Friday, 23 December 2022 and re-open on Tuesday, 3 January 2023. As most enquiries during this period of closure would relate to waste disposal and can be handled at Red Hill, it is considered that customers and/or the general public will not be inconvenienced by this arrangement.
- 6 There may be a requirement for the Hazelmere Commercial and Industrial (C&I) facility to operate over the Christmas/New Year period. It is also possible that contracted customers may require supply of wood fines during this period. An assessment regarding the closure of Hazelmere over the Christmas and New Year period will therefore be made closer to the Christmas/New Year closure period. If the assessment concludes that there is no operational requirement for Hazelmere to remain open, then the proposal is to close that facility from 3:00pm Friday, 23 December 2022, and re-open on Tuesday, 3 January 2023.
- 7 The EMRC Council previously resolved that the Red Hill Waste Management Facility close on Christmas Day, New Year’s Day, and Good Friday of each year. It is proposed that this arrangement now includes Boxing Day. Therefore, the Red Hill Waste Management will now close on Christmas Day, Boxing Day, New Year’s Day, and Good Friday ongoing Annually.
- 8 The EMRC operates the Coppin Road and Mathieson Road Transfer Stations on behalf of the Shire of Mundaring. In consultation with the Shire of Mundaring and in accordance with the Site Management Agreement, the Mathieson Road and Coppin Road Transfer Stations will be closed on Christmas Day, Boxing Day and New Year’s Day for the 2022/2023 Christmas and New Year period. Both transfer stations will be closed on Good Friday 2023 (non-trading day for Coppin Road).
- 9 The EMRC operates the Baywaste Transfer Station on behalf of the City of Bayswater. In consultation with the City of Bayswater and in accordance with the Site Management Agreement, the Baywaste Transfer Station will be closed on Christmas Day, with the addition of Boxing Day and New Year’s Day. The Facility will be closed on Good Friday (Friday, 7 April 2023).

STRATEGIC/POLICY IMPLICATIONS

- 10 Key Result Area 3 – Good Governance
 - 3.2 To manage partnerships and relationships with stakeholders
 - 3.3 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

- 11 Reduction of accrued leave balances and overtime

SUSTAINABILITY IMPLICATIONS

- 12 Nil

Risk – Ineffective management of customer expectations

Consequence	Likelihood	Rating
Minor	Possible	Moderate
Action/Strategy		
➤ Ensure that the closure of the sites is gazetted and communicated adequately.		

MEMBER COUNCIL IMPLICATIONS

Member Council

Town of Bassendean
 City of Bayswater
 City of Kalamunda
 Shire of Mundaring
 City of Swan

Implication Details

Member Councils to note closure dates within the report for the following sites:

- Ascot Administration Office
- Red Hill Waste Management Facility
- Hazelmere Resource Recovery Park
- Mathieson and Coppin Road Transfer Stations
- Baywaste Transfer Station

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council approves:

1. The EMRC Administration Office being closed from 5:00pm Friday, 23 December 2022, and on each day thereafter, including all Public Holidays in 2023 until it re-opens on Tuesday, 3 January 2023.
2. The Hazelmere Resource Recovery Park being closed from 3:00pm Friday, 23 December 2022 and on each day thereafter, including all Public Holidays in 2023 until it re-opens on Tuesday, 3 January 2023.
3. The Red Hill Waste Management Facility being closed on Christmas Day (Sunday, 25 December 2022), Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
4. The Mathieson Road Transfer Station (Shire of Mundaring) being closed on Christmas Day (Sunday, 25 December 2022), New Year Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
5. The Coppin Road Transfer Station (Shire of Mundaring) will be closed on Christmas Day (Sunday, 25 December 2022) Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).
6. The Baywaste Transfer Station (City of Bayswater) will be closed on Christmas Day (Sunday, 25 December 2022), Boxing Day (Monday, 26 December 2022), New Year's Day (Sunday, 1 January 2023) and Good Friday (Friday, 7 April 2023).

COUNCIL RESOLUTION(S)

MOVED

SECONDED

5.2 MAKING OF THE EMRC MEETING PROCEDURES LOCAL LAW 2023

D2022/15065

PURPOSE OF REPORT

To seek Council approval to make *Eastern Metropolitan Regional Council Meeting Procedures Local Law 2023* (Local Law 2023) as a result of the review of the existing *Eastern Metropolitan Regional Council Standing Orders Local Law 2013* (Local Law 2013) in accordance with the requirements of the *Local Government Act 1995* (the Act).

KEY POINT(S)

- Local laws are required to be reviewed within a period of eight years from the day they commenced.
- Following a review of the existing Local Law 2013, it was recommended that they be repealed and a new Local Law 2023 be adopted.
- To facilitate this, the statutory process in accordance with section 3.12 of the Act is to be followed.

RECOMMENDATION(S)

That:

1. Council, by absolute majority in accordance with section 3.16 of the *Local Government Act 1995*, repeal the *Eastern Metropolitan Regional Council Standing Orders Local Law 2013*.
2. Council commence the process required by section 3.12 of the *Local Government Act 1995*, to make the *Eastern Metropolitan Regional Meeting Procedures Local Law 2023*.

SOURCE OF REPORT

Chief Executive Officer

BACKGROUND

- 1 Section 3.16 of the Act 'Periodic review of local laws' states:

"(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 Under the powers conferred by the Act, the EMRC Council resolved on 21 March 2013 to adopt the *EMRC Standing Orders Local Law 2013* which was published in the Government Gazette on 26 June 2013.

- 3 Section 3.16 of the Act stipulates the review process which incorporates the following:

- S. 3.16 (2) (a) Giving statewide public notice that the Local Government proposes to review the local law
- S. 3.16 (2) (b) Permitting copies of the local law to be inspected or obtained
- S. 3.16 (2) (c) Allowing 6 weeks from printing of public notice for submissions to be made
- S. 3.16 (2a) Notice to be published and exhibited as though it were a local public notice
- S. 3.16 (3) Local Government to consider any public submissions and prepare a report of the review for Council consideration
- S. 3.16 (4) Any determination to repeal or amend the local law to be made by absolute majority

4 At the Ordinary Meeting of Council 25 November 2021 (Ref: D2021/23182), it was resolved:

“THAT

- 1. IN ACCORDANCE WITH SECTION 3.16(1) OF THE LOCAL GOVERNMENT ACT 1995, COUNCIL COMMENCES A REVIEW OF THE EASTERN METROPOLITAN REGIONAL COUNCIL STANDING ORDERS LOCAL LAW 2013.*
- 2. IN ACCORDANCE WITH SECTION 3.16(2) OF THE LOCAL GOVERNMENT ACT 1995, LOCAL PUBLIC NOTICE BE GIVEN OF THE EMRC PROPOSING TO REVIEW THE EASTERN METROPOLITAN REGIONAL COUNCIL STANDING ORDERS LOCAL LAW 2013.”*

REPORT

- 5 On Wednesday 8 December 2021 an advertisement was placed in the West Australian newspaper informing members of the public of a review of the Local Law 2013 to determine whether it should be repealed or amended. The information was available for public comment for a period of six weeks (submissions closed on 21 January 2022).
- 6 By the closing date, the EMRC had not received any public submissions.
- 7 An e-mail was sent to all Councillors on 9 May 2022 seeking feedback in respect of the review of the EMRC Standing Orders Local Law 2013. No major feedback was received from Councillors except for a couple of queries which were answered by EMRC staff.
- 8 An initial review of the Local Law 2013 by EMRC’s legal representative, McLeods noted that the current structure was sound and only minor amendments are required to ensure consistency with the current provisions of the Act and Regulations and the requirements of the Joint Standing Committee on Delegated Legislation. However, McLeods recommended amending the existing Local Law 2013 by making a new local law rather than by making an amendment local law. The same process is required to make an amendment local law as is required to make a new local law but the outcome of making an amendment local law is two documents (the existing local law plus the amendment local law), whereas the outcome of making a new local law is one document (a new local law which will effectively be the existing Local Law 2013 with the required amendments).
- 9 McLeods has provided a reviewed copy (with tracked changes) of the Local Law 2013 forming attachment 1 to this report.
- 10 The proposed new Local Law 2023 recommended for adoption forms attachment 2 to this report. Section 3.12 of the Act requires the following process to be carried out before the proposed new Local Law 2023 can be made.
- 11 Notice of the purpose and effect of the proposed local law must be included in both the agenda and minutes of the meeting at which it is proposed. The purpose and effect of the proposed new Local Law 2023 is included in this agenda by its inclusion in clause 1.3 of the proposed local law in attachment 2.
- 12 If Council resolves to commence the process required to make new Local Law 2023 the EMRC will be required to:
 - give local public notice of that proposal stating the purpose and effect of the proposed local law, that copies of it may be inspected or obtained and submissions made by a date that is not less than 6 weeks after the notice is given;
 - give a copy of the proposed local law to the Minister, with a copy of the local public notice; and

- consider any submissions made in response to the local public notice before Council may (by an absolute majority decision) make the proposed local law or one that is not significantly different from what was proposed.

13 If Council resolves to make the proposed new Local Law 2023 (or one that is not significantly different to that local law) the EMRC will be required to publish it in the *Government Gazette*, give a copy of the Gazetted local law to the Minister, give local public notice of the making of the local law and provide the local law to the Joint Standing Committee on Delegated Legislation along with the Explanatory Memorandum and other material required by the Minister’s *Local Laws Explanatory Memoranda Directions 2010*.

STRATEGIC/POLICY IMPLICATIONS

14 Key Result Area 4 – Good Governance
 4.6 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

15 Nil

SUSTAINABILITY IMPLICATIONS

16 Nil

RISK MANAGEMENT

Risk – Failure to comply with section 3.16 of the <i>Local Government Act 1995</i> by not conducting the required periodic review of local laws		
Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
Council to resolve to repeal the <i>Eastern Metropolitan Regional Council Standing Orders Local Law 2013</i> pursuant to section 3.16 of the <i>Local Government Act 1995</i> and commence the process to replace it with the proposed new <i>Eastern Metropolitan Regional Council Meeting Procedures Local Law 2023</i>		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. Draft Eastern Metropolitan Regional Council *Meeting Procedures Local Law 2013* – Tracked Changes (D2022/17376)
2. Draft Eastern Metropolitan Regional Council *Meeting Procedures Local Law 2013* – Final (D2022/17377)



VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That:

1. Council, by absolute majority in accordance with section 3.16 of the *Local Government Act 1995*, repeal the *Eastern Metropolitan Regional Council Standing Orders Local Law 2013*.
2. Council, commence the process required by section 3.12 of the *Local Government Act 1995*, to make the *Eastern Metropolitan Regional Council Meeting Procedures Local Law 2023*

COUNCIL RESOLUTION(S)

MOVED

SECONDED

Draft 14/9/22

EMRC

STANDING ORDERS MEETING PROCEDURES
LOCAL LAW 20243

Local Government Act 1995

Eastern Metropolitan Regional Council

Meeting Procedures ~~Standing Orders~~ Local Law 20~~12~~23

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Local Government Act 1995

Eastern Metropolitan Regional Council

Standing Orders Meeting Procedures Local Law 20213

Under the powers conferred by the Local Government Act 1995 and all other enabling powers, the Council of the Eastern Metropolitan Regional Council resolved on ~~21 March 2013~~ to make the following local law.

Part 1 - Preliminary

1.1 Short title

- (1) This is the Eastern Metropolitan Regional Council ~~Standing Orders Meeting Procedures~~ Local Law 20213.
- (2) In the clauses that follow, this local law is referred to as ~~"these Standing Orders"~~ this Local Law.

1.2 Commencement

This local law commences 14 days after it is published in the Government Gazette.

1.3 Application and intent

- (1) ~~These Standing Orders~~ This Local Law contains the rules that 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) ~~These Standing Orders are~~ This Local Law is intended to result in –
 - (a) better decision making by the Council and its committees;
 - (b) the orderly conduct of meetings;
 - (c) better understanding of the process of conducting meetings; and
 - (d) more efficient and effective use of time at meetings.

1.4 Defined terms

In ~~these Standing Orders~~ 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 or Acting Chief Executive Officer for the time being of the EMRC;

Chairperson means the Chairperson of the EMRC elected under ~~clause 7.3 of~~ the Establishment Agreement;

Code of Conduct means the EMRC's Code of Conduct for Council Members, Committee Members and Candidates;

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

Council means the Council of the EMRC;.

Deputy Chairperson means the Deputy Chairperson of the EMRC elected under ~~clause 7.3 of~~ the Establishment Agreement;

deputy member means a member of the council of a Participant appointed by the Participant under ~~clause 7.1 (5) of~~ the Establishment Agreement to act temporarily in place of a member appointed by that Participant;

employee has the same meaning as is given to it in the Act;

EMRC means the Eastern Metropolitan Regional Council;

Establishment Agreement means the establishment agreement entered into by between the Participants ~~in or about June 1998~~;

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

member means a member of the council of a Participant appointed by the Participant under ~~clause 7.1 of~~ the Establishment Agreement to be a member of the Council;

Participant means a party to the Establishment Agreement;

presiding member means -

- (a) in respect of the Council, the Chairman~~Chairperson~~ or other person presiding under section 5.6 of the Act (see clause 3.1); and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13 and 5.14 of the Act (see clauses 3.4 and 3.5);

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

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

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

special majority has the meaning given to it in the Act; and

substantive motion means an original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion.

1.5 Interpretation

Unless otherwise defined, the terms used in ~~these Standing Orders~~this Local Law have the meaning given to them in the Act and Regulations.

1.6 Deputy member

- (1) If a member is unable to attend a meeting or part of a meeting, a deputy member may attend in place of that member provided that –
 - (a) the deputy member has been appointed by the Participant which appointed the absent member.
 - (b) the deputy member has made a declaration in the prescribed form (under section 2.29 of the Act) before acting in the office.
- (2) While attending a meeting in place of a member, a deputy member has all the powers of that member.

1.7 Repeal

The Eastern Metropolitan Regional Council Standing Orders Local Law [2013-1998](#), published in the Government Gazette on [26 June 2013](#) ~~September 1999~~, is repealed.

Part 2 - Meetings of the Council and committees

2.1 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.

2.2 Calling Council meetings

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

2.3 Convening Council meetings

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to subclause (3), the CEO is to give at least 48 hours' notice, for the purposes of section 5.5 of the Act, in convening a special meeting of the Council.
- (3) Where, in the opinion of the [ChairmanChairperson](#) or at least 1/3 of the members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting

2.4 Calling committee meetings

A meeting of a committee is to be held –

- (a) if called for in a verbal or written request to the CEO by the [ChairmanChairperson](#) or by the presiding member of the committee, setting out the date and purpose of the proposed meeting;
- (b) if called for by at least 1/3 of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting;

- (c) if called for by the CEO; or
- (d) in accordance with a decision of the Council or the committee.

2.5 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

2.6 Minor irregularity

The legal effect of a minor irregularity on the validity of a meeting is dealt with in the *Interpretation Act 1984*.

Part 3 - Presiding member and quorum

3.1 Who presides

Who presides at a Council meeting is dealt with in the Act.

3.2 When the Deputy ~~Chairman~~Chairperson can act

When the Deputy ~~Chairman~~Chairperson can act is dealt with in the Act.

3.3 Who acts if no ~~Chairman~~Chairperson or Deputy ~~Chairman~~Chairperson

Who acts if there is no ~~Chairman~~Chairperson is dealt with in the Act.

3.4 Election of presiding members of committees

The election of presiding members of committees is dealt with in the Act.

3.5 Election of deputy presiding members of committees

The election of deputy presiding members of committees is dealt with in the Act.

3.6 Functions of deputy presiding members

The functions of deputy presiding members are dealt with in the Act.

3.7 Who acts if no presiding member

Who acts if [there is](#) no presiding member is dealt with in the Act

3.8 Quorum for meetings

The quorum for meetings is dealt with in the Act.

3.9 Attendance by means of instantaneous communication

The circumstances in which a person who is not physically present at a meeting of the Council or a committee is taken to be present at the meeting are dealt with in the Regulations.

3.10 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.

3.11 Reduction of quorum for committee meetings

The reduction of a quorum for committee meetings is dealt with in the Act.

3.12 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.

3.13 Procedure where quorum not present during a meeting

If at any time during a meeting a quorum is not present –

- (a) the **ChairmanChairperson** or presiding member is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes;
- (b) if a quorum is not present at the expiry of the suspension period under subclause (a), the **ChairmanChairperson** or presiding member may either adjourn the meeting to some future time or date or may extend the extension period for a further period of 30 minutes; and
- (c) if a quorum is not present at the expiry of the extended period of suspension under subclause (b), the **ChairmanChairperson** or presiding member is to adjourn the meeting to a later time on the same day or to another day.

3.14 Names to be recorded

At any meeting –

- (a) at which there is not a quorum present to begin the meeting; or
- (b) which is adjourned under clause 3.13,

the names of the members then present are to be recorded in the minutes.

Part 4 - Business of a meeting

4.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.
- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) No business is to be transacted at a committee meeting other than that specified in the agenda, or given in the notice of the meeting as the purpose of the meeting, without the approval of the presiding member or a decision of the committee.
- (4) Where a Council meeting is adjourned to the next ordinary meeting of the Council, the business unresolved at the meeting that is adjourned is to be dealt with under item 13 of clause 4.2 at that ordinary meeting.
- (5) Where a committee meeting is adjourned to the next ordinary committee meeting, the business unresolved at the meeting that is adjourned is to be given precedence at that ordinary meeting.

- (6) Where a Council or committee meeting is adjourned to a meeting not described in subclauses (4) or (5), no business is to be transacted at that later meeting other than that -
- (a) specified in the notice of the meeting that is adjourned; and
 - (b) which remains unresolved.

4.2 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 and announcement of visitors
 2. Record of attendance, apologies and leave of absence (previously approved)
 3. Disclosure of interests
 4. Announcements by the ChairmanChairperson or presiding member without discussion
 5. Response to previous public questions taken on notice
 6. Public question time
 7. Applications for leave of absence
 8. Petitions, deputations and presentations
 9. Confirmation of minutes of previous meetings
 10. Questions by members of which due notice has been given
 11. Questions by members without notice
 12. Announcement of confidential matters for which meetings may be closed to the public may be
 13. Business not dealt with from a previous meeting
 14. Reports of employees
 15. Reports of committees
 16. Reports of delegates
 17. Members' motions of which previous notice has been given
 18. New business of an urgent nature approved by the ChairmanChairperson or presiding member or by decision of the meeting
 19. Confidential matters for which the meeting may be closed to the public
 20. Future meetings of Council
 21. Declaration of closure of meeting
- (2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the notice of, or agenda for, the meeting.
- (3) Notwithstanding subclauses (1) and (2), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.

4.3 Change to the order of business

- (1) The ChairmanChairperson or presiding member may propose a change to the order of business.
- (2) Any member may move that a change in order of business proposed by the ChairmanChairperson or presiding member not be accepted and, if carried by a majority of members present, the proposed change in order is not to take place.

4.4 Disclosure of Interest

Written notices of disclosure of interests are to be announced –

- (a) at item 3 of clause 4.2(1); and
- (b) immediately before the matter to which the disclosure relates is discussed.

4.5 Announcements by the ~~Chairman~~Chairperson or presiding member

Announcements by the ~~Chairman~~Chairperson or presiding member under item 4 of clause 4.2(1) are –

- (a) to inform the Council or the committee of any matter of interest or relevance to the business of the Council or a committee;
- (b) to be brief and concise; and
- (c) to be completed within 10 minutes.

4.6 Response to previous questions taken on notice

Where a question is taken on notice, the CEO is to ensure that -

- (a) a written answer is forwarded to the questioner as soon as practicable; and
- (b) a summary of the answer is recorded in the minutes of the following meeting of the Council or committee under item 5 of clause 4.2(1).

4.7 Public question time

Provisions relating to public question time are set out in Part 5 of ~~these Standing Orders~~this Local Law.

4.8 Application for leave of absence

- (1) A request for leave of absence may be made by a member –
 - (a) verbally at the meeting; or
 - (b) in writing to the CEO before the meeting.

- (2) The grant of leave of absence is dealt with in the Act.

4.9 Petitions, deputations and presentations

Provisions relating to petitions, deputations and presentations are set out in Part 5 of ~~these Standing Orders~~this Local Law.

4.10 Confirmation of minutes of previous meetings

Provisions relating to minutes are set out in Part ~~7.13~~ of ~~these Standing Orders~~this Local Law.

4.11 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 48 hours before the meeting at which it is to be asked.
- (2) If the CEO considers that the question breaches or may breach ~~these Standing Orders~~ this Local Law or any other law –
 - (a) the CEO is to refer the question to the ChairmanChairperson;
 - (b) the ChairmanChairperson is to exclude the question if he or she concurs with the view of the CEO; and
 - (c) if the question is excluded, the CEO is to give all members, as soon as practicable but not later than the next ordinary meeting, the reasons for the exclusion.
- (3) Notice of a question that is not withdrawn or excluded under subclause (2), together with the answer to that question, are –
 - (a) where practicable, to be included in the agenda of the meeting; or
 - (b) otherwise, to be tabled at the meeting.
- (4) Each question and answer is to be submitted as briefly and concisely as possible and, unless with the consent of the ChairmanChairperson or presiding member, there is to be no discussion on the question or answer.

4.12 Questions without notice

- (1) In this clause, question includes a request for information.
- (2) At any time during the debate on a motion, before the motion is put, a member may ask a question and, with the consent of the ChairmanChairperson or the presiding member, may ask one or more further questions.
- (3) A question asked by a member, and a response given by a member or an employee –
 - (a) is to be brief and concise; and
 - (b) is not to be accompanied by –
 - (i) expressions of opinion, statement of fact or other comment, except where necessary to explain the question or answer; or
 - (ii) any discussion or further question, except with the consent of the ChairmanChairperson or presiding member.
- (4) Where a question requests information from an employee who is present at the meeting, the employee may ask that –
 - (a) the question be placed on notice for the next meeting of the Council; or
 - (b) the answer to the question be given to the member who asked it prior to the next ordinary meeting of the Council.

- (5) If the answer to the question without notice cannot be given at the meeting at which it is asked, the member asking the question may request that the answer be given to the appropriate committee or Council meeting and the ~~Chairman~~Chairperson or presiding member may, if he or she thinks fit, so direct.

4.13 Announcement of confidential matters for which meetings may be closed to the public

Any confidential matters for which the meeting may be closed to the public are to be announced under item 12 of clause 4.2(1).

4.14 Business not dealt with from a previous meeting

The Council is to deal, under item 13 of clause 4.2(1), with any business that was listed on the agenda of a previous meeting and has not been dealt with.

4.15 Employee reports

The Council is to deal, under item 14 of clause 4.2(1), with any employee reports included in the agenda under this item by the CEO.

4.16 Reports of committees

The Council is to deal, under item 15 of clause 4.2(1), with reports of committees.

4.17 Reports of delegates

- (1) Under item 16 of clause 4.2(1) a member may give a written or oral report on an activity undertaken by the member on behalf of the EMRC.
- (2) Unless the Council decides otherwise on the grounds of urgency, a report which requires a decision of the Council must be the subject of a written report by or on behalf of the CEO.
- (3) The ~~Chairman~~Chairperson or presiding member may declare any report by a member to be out of order and, if he or she does so, the member must immediately cease speaking.

4.18 Members' motions of which previous notice has been given

- (1) Unless the Act, Regulations or ~~these Standing Orders~~this Local Law otherwise provide, a member may raise at a meeting such business of the EMRC as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be given at least 4 clear working days before the meeting at which the motion is proposed to be moved.
- (3) A notice of motion must relate to the regional purposes for which the EMRC is established under the Establishment Agreement.
- (4) The CEO -
- (a) with the concurrence of the ~~Chairman~~Chairperson or presiding member, may exclude from the notice paper any notice of motion that he or she considers to be out of order; or
 - (b) may make such amendments to the form, but not the substance, as will bring the notice of motion into due form.

- (5) A notice of motion is not out of order because its subject is considered to be objectionable.
- (6) If a notice of motion is excluded under subclause (4), the CEO is to provide the reason for its exclusion to all members as soon as practicable.
- (7) The CEO may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law.
- (8) A motion of which notice has been given is to lapse unless -
 - (a) the member who gave notice of it, or some other member authorised by him or her in writing, moves the motion when called on; or
 - (b) the Council or committee on a motion decides to defer consideration of the motion to a later stage or date.
- (9) If a notice of motion is given and lapses in the circumstances referred to in subclause (8), a notice of motion in substantially the same terms, or to substantially the same effect, is not to be given again for at least 3 months from the date of the lapse.

4.19 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstance, matters may, on the initiative of the ChairmanChairperson or presiding member or by way of a motion that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), “cases of extreme urgency or other special circumstances” means matters –
 - (a) that have arisen after the preparation of the agenda that are considered by the meeting to be of such importance and urgency that they are unable to be dealt with administratively by the EMRC and must be considered and dealt with by the Council before the next meeting; and
 - (b) that, if not dealt with at the meeting, are likely to –
 - (i) have a significant adverse effect (financially or otherwise) on the EMRC; or
 - (ii) result in a contravention of a written law.
- (3) Before debate begins on a matter under this clause that is not the subject of a written employee report to the meeting –
 - (a) the ChairmanChairperson or 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.
- (4) 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.

4.20 Confidential matters for which the meeting may be closed to the public

Provisions relating to the closure of all or part of the meeting to the public are set out in Part 5 of ~~this Local Law~~these Standing Orders.

4.21 Future meetings of Council

Under item 20 of clause 4.2(1), future meeting dates as previously resolved or amended (in accordance ~~to~~with the Act and Regulations) are to be listed.

4.22 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means –
 - (a) a resolution of the Council that has the effect of adopting, for each of a number of specifically identified reports, the committee or employee recommendation as the Council resolution; and
 - (b) a resolution of a committee that has the effect of adopting, for each of a number of specifically identified reports, the employee recommendation as the committee resolution.
- (2) Subject to subclause (3), the Council or a committee may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter –
 - (a) that requires an absolute majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or
 - (e) that is a matter on which a member wishes to move a motion that is different to the recommendation.

4.23 Closure – time limits for meetings

- (1) If a meeting of the Council is in progress 3 hours after its commencement –
 - (a) the ~~Chairman~~Chairperson or presiding member is to give the Council the opportunity to decide whether the meeting should continue;
 - (b) the meeting may continue –
 - (i) for up to 1 more hour;
 - (ii) only if a motion that the meeting continue is carried; and
 - (iii) only for the time (up to 1 more hour) specified in that motion; and
 - (c) the ~~Chairman~~Chairperson or presiding member is to adjourn the meeting –
 - (i) if the motion under paragraph (b) is not carried; or

- (ii) at the conclusion of any extension specified in a motion that is carried under paragraph (b).
- (2) Subject to subclause (1), each Council and committee meeting is to be closed not later than 11.00pm.

Part 5 - Public participation

5.1 Meetings generally open to the public

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

5.2 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 (other than any person specified in a resolution).
- (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 to members of the public a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried –
 - (a) the presiding member is to direct everyone to leave the meeting except –
 - (i) the members;
 - (ii) the CEO;
 - (iii) any other employee of the EMRC specified in a resolution; and
 - (iv) any other person specified in a resolution; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3) may, by order of the presiding member, be removed from the meeting.
- (5) A resolution under this clause may be made without notice of the relevant motion.
- (6) The CEO may require any person, other than a member or employee, to sign a confidentiality agreement relating to the disclosure of information acquired at a meeting closed to members of the public.
- (7) Unless the Council or the committee resolves otherwise, once the meeting is reopened to members of the public the presiding member is to ensure that –
 - (a) any resolution of the Council or committee made while the meeting was closed is to be read out; and
 - (b) the vote of a member or members is recorded in the minutes.

5.3 Question time for the public

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

5.4 Question time for the public at certain meetings

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

5.5 Minimum question time for the public

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

5.6 Procedures for question time for the public

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

5.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must –
 - (a) first state his or her name and address;
 - (b) direct the question to the presiding member;
 - (c) ask the question briefly and concisely;
 - (d) limit any preamble to matters directly relevant to the question; and
 - (e) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
- (2) Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
- (3) A member of the public may give prior written notice to the CEO of the text or substance of a question that he or she wishes to ask at a meeting.
- (4) Unless the presiding member determines otherwise, a question of which prior written notice has been given to the CEO is to be given priority in question time.
- (5) Where a member of the public gives written notice of a question, the presiding member may determine that the question is to be responded to as normal business correspondence.
- (6) A question may be taken on notice by the Council or committee for later response.
- (7) When a question is taken on notice, the CEO is to ensure that –
 - (a) a written response is given to the person who asked the question; and
 - (b) a summary of the response is included in the agenda for the next meeting of the Council or committee.
- (8) Where a question relating to a matter in which a person has an interest is directed to that person, that 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.

- (9) A response to a question –
- (a) is to be brief and concise; and
 - (b) is not to be the subject of any discussion, except that if in the opinion of a member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the presiding member) the member may correct or clarify the matter.
- (10) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes.
- (11) The presiding member may decide that a question is not to be responded to where –
- (a) the same or similar question was asked at a previous meeting, a response was provided and the person who asked the question is directed to the minutes of the meeting at which the response was provided;
 - (b) it is in the form of a statement, provided that the presiding member has taken reasonable steps to assist the person to phrase the statement as a question; or
 - (c) the question is offensive or defamatory in nature, or is one which, if asked by a member, would be in breach of [these Meeting Procedures](#) [this Local Law](#) or any other law.
- (12) The Council or committee, by resolution, may agree to extend public question time.

5.8 Distinguished visitor

If a distinguished visitor is present at a meeting of the Council or a committee, the [Chairman](#)[Chairperson](#) or presiding member –

- (a) may invite the distinguished visitor to sit beside the [Chairman](#)[Chairperson](#) or presiding member or at the Council table;
- (b) may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting; and
- (c) may direct that the presence of the distinguished visitor be recorded in the minutes.

5.9 Petitions

- (1) A petition must -
- (a) be addressed to the [Chairman](#)[Chairperson](#);
 - (b) be made by electors of the Participants;
 - (c) state the request on each page;
 - (d) contain the legible names, addresses and signatures of the electors making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request;

- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
 - (g) be respectful and temperate in its language; and
 - (h) comply with any form prescribed by the Act or any other written law.
- (2) On the presentation of a petition –
- (a) the member presenting it is confined to reading the petition; and
 - (b) the only motion that is in order is that the petition be received and, if necessary, that it be referred for the CEO's report.
- (3) At any meeting, the Council or committee 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 or committee has considered the issues raised in the petition.

5.10 Deputations

- (1) A deputation may be made to the Council or a committee in accordance with this clause.
- (2) A person or group who wishes to be received as a deputation by the Council or a committee must –
- (a) apply in writing to the CEO for approval; and
 - (b) include with the application information relating to the subject matter to be raised by the deputation in concise terms, but in sufficient detail to provide a general understanding of the purpose of the delegation.
- (3) The CEO is to refer a copy of a summary of the application –
- (a) to the ~~Chairman~~Chairperson – if the request is to attend a Council meeting; or
 - (b) the presiding member – if the request is to attend a committee meeting.
- (4) The ~~Chairman~~Chairperson or presiding member (as the case may be) –
- (a) may approve the request, in which case the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be; or
 - (b) may ask the CEO to refer the request to the Council or committee to decide whether or not to receive the deputation.
- (5) Unless the meeting resolves otherwise -
- (a) a deputation is not to exceed 5 people, only 2 of whom may address the meeting, although others may respond to specific questions from the members; and
 - (b) the deputation may address the meeting for up to 15 minutes.

- (6) For the purposes of this clause, a deputation comprises all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (7) A matter which is the subject of a deputation to the committee is not to be decided by the committee until the deputation has completed its presentation.
- (8) Where a deputation is to be received by the committee, the person or group comprising of the deputation is to address the meeting at the relevant part in the order of business as detailed in clause 4.2(2).
- (9) Any item of business to be discussed at a committee meeting that is subject of a received deputation, is to be brought forward in the order of business for the meeting as the next item of business after the deputation has been received.

5.11 Participation at committee meetings

- (1) In this clause a reference to a “person” is to a person who –
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) A member may attend, as an observer, any meeting of a committee of which he or she is not a member or the deputy of a member [\(acting in place of the member\)](#).
- (3) Without the consent of the presiding member, a person must not address a committee meeting.
- (4) The presiding member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (5) A person addressing the committee with the consent of the presiding member must cease that address immediately after being directed to do so by the presiding member.
- (6) A person who fails to comply with a direction of the presiding member under subclause (5) may, by order of the presiding member, be removed from the committee room.
- (7) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

5.12 Public inspection of agenda material

The right of a member of the public to inspect the documents relating to a Council or committee meeting are dealt with in the Regulations.

5.13 Confidentiality of information withheld

- (1) Information withheld by the CEO from members of the public under regulation 14(2) of the Regulations is to be -
 - (a) identified in the agenda of a Council or committee meeting under item 19 of clause 4.2(1) (ie “Confidential matters for which the meeting may be closed to the public”);
 - (b) marked “confidential” in the agenda; and

(c) kept confidential by members and employees until the Council or committee resolves otherwise.

(2) A member or an employee who has –

(a) confidential information under subclause (1); or

(b) information that is provided or disclosed for the purposes of, or during, a meeting or part of a meeting that is closed to the public,

must not disclose any part of that information to any person other than another member or an employee of the Council to the extent necessary for the purpose of carrying out his or her functions.

(3) Subclause (2) does not prevent a member or employee 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;

(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.

5.14 Recording of proceedings

(1) A person must not use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the permission of the Council.

(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 or committee.

5.15 Prevention of disturbance

(1) A reference in this clause to a “person” is to a person other than a member.

(2) A person must ensure that his or her electronic communication or information device is not switched on or used during any meeting of the Council or a committee.

(3) A person addressing the Council or a committee must extend due courtesy and respect to the Council or committee and the processes under which it operates and must comply with any direction by the presiding member.

(4) A person present at or observing a meeting must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

(5) The presiding member may warn a person who fails to comply with this clause.

- (6) If –
- (a) after being warned, the person again acts contrary to this clause, or to ~~these Standing Orders~~this Local Law; or
 - (b) a person refuses or fails to comply with a direction by the presiding member,
- the presiding member may expel the person from the meeting by ordering him or her to leave the meeting room.
- (7) A person who is ordered to leave the meeting room and fails to do so may, by order of the presiding member, be removed from the meeting room and, if the presiding member orders, from the premises.

Part 6 - Disclosure of interests

6.1 Disclosure of interests

The requirements for members and employees to disclose financial and other interests, the nature of the interests that must be disclosed, and related matters, are dealt with in the Act, the Regulations, ~~the Rules of Conduct~~ and the Code of Conduct.

6.2 Separation of committee recommendations

Where, at a committee meeting, a member discloses a financial or proximity interest in a matter, and the matter is included in the recommendations (or part of the recommendations) of the committee to a Council or to another committee meeting that will or may be attended by the member, the agenda of that Council or committee meeting is to separate the relevant recommendation (or relevant part of the recommendations) from other recommendations of the committee.

Part 7 - Conduct of members

7.1 Official titles to be used

A speaker, when speaking or referring to the ~~Chairman~~Chairperson or Deputy ~~Chairman~~Chairperson, or to a member or employee, must use the title of that person's office.

7.2 Members to occupy own seats

- (1) At Council meetings, members must be seated in the positions determined by the Council.
- (2) At committee meetings, committee members must be seated in those positions, if any, that are determined by the relevant committee.

7.3 Entering or leaving a meeting

During the course of a meeting, a member must not enter or leave the meeting without giving an appropriate indication, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Members who wish to speak

A member who wishes to speak at a Council meeting –

- (a) must indicate his or her intention to speak by raising his or her hand, or by any other method determined by the Council; and
- (b) when invited by the **ChairmanChairperson** or presiding member to speak, must address the meeting through the **ChairmanChairperson** or presiding member and, unless otherwise determined by the Council, may either rise or remain seated while speaking.

7.5 Priority of speaking

- (1) At a Council meeting where 2 or more members indicate, at the same time, their intention to speak, the **ChairmanChairperson** or presiding member is to decide which member is entitled to be heard first.
- (2) At a committee meeting, the presiding member is first to invite committee members to speak followed by, at the discretion of the presiding member, other members and attendees.
- (3) A decision of the **ChairmanChairperson** or presiding member under this clause is not open to discussion or dissent.

7.6 The **ChairmanChairperson or presiding member may take part in debates**

- (1) Subject to compliance with the procedures for the debate of motions contained in **these Standing Orders**~~this Local Law~~, the **ChairmanChairperson** or presiding member, without vacating the chair, may take part in a discussion of any matter before the meeting.
- (2) Before the **ChairmanChairperson** or presiding member moves a motion or amendment, he or she must first vacate the chair and the Deputy **ChairmanChairperson** or other person elected for the purpose is to preside over the meeting while the motion or amendment is being debated and voted upon.

7.7 Relevance

- (1) A member must restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The **ChairmanChairperson** or presiding member, at any time, may –
 - (a) draw the attention of the meeting to any irrelevant or repetitious remarks by a member; or
 - (b) direct that member, if speaking, to discontinue his or her speech.
- (3) A member must comply with the direction of the presiding member under subclause (2) by immediately ceasing to speak.

7.8 Speaking twice

- (1) A member must not 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.

7.9 Duration of speeches

A member must not speak on any matter for more than 5 minutes without the consent of the meeting which, if given, is to be given without discussion.

7.10 No speaking after conclusion of debate

A member must not speak on any motion or amendment –

- (a) after the [mover](#) has replied; or
- (b) after the question has been put.

7.11 No interruption

A member must not 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 7.16; or
- (d) to move a procedural motion that the member be no longer heard (see clause 10.1(e)).

7.12 Respect for the [Chairman/Chairperson](#) or presiding member and speaker

A member must not –

- (a) while a motion is being voted on, walk out of or across the [meeting room Chamber](#); and
- (b) while any other member is speaking, pass between the speaker and the [Chairman/Chairperson](#) or presiding member.

7.13 No re-opening of discussion

A member must not re-open a discussion on any decision of the Council or committee, except to move that the decision be revoked or changed (see Part 14).

7.14 Offensive language

- (1) A member must not reflect adversely on a decision of the Council or a committee except on a motion that the decision be revoked or changed (see Part 14).
- (2) A member must not –
 - (a) reflect adversely on the character or actions of another member or employee;
 - (b) impute any motive to a member or employee; or
 - (c) use an expression that is offensive or objectionable.

- (3) A member must not use offensive or objectionable expressions in reference to any other member, employee or other person.

7.15 Withdrawal of offensive language

A member who, in the opinion of the ~~Chairman~~Chairperson or presiding member –

- (a) reflects adversely on the character or actions of another member or employee;
- (b) imputes any motive to a member or employee; or
- (c) uses an expression that is offensive or objectionable,

must, when directed by the ~~Chairman~~Chairperson or presiding member, withdraw the reflection, imputation or expression and make a satisfactory apology.

7.16 Personal explanation

- (1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking must indicate to the ~~Chairman~~Chairperson or presiding member his or her intention to make a personal explanation.
- (2) The ~~Chairman~~Chairperson or 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 must confine his or her observations to a succinct statement relating to the specific part of the speech at which he or she may have been misunderstood.

Part 8 - Preserving Order

8.1 The ~~Chairman~~Chairperson or presiding member to preserve order

The ~~Chairman~~Chairperson or presiding member is to preserve order and, whenever he or she considers it necessary, may –

- (a) call a member to order; or
- (b) may direct a member to cease breaching, or to comply with, any provision of any of these Standing Orders~~this Local Law~~.

8.2 Point of order

- (1) A member may object, by way of a point of order, only to a breach of –
 - (a) aAny provision of these Standing Orders~~this Local Law~~; or
 - (b) any other written law.
- (2) Examples of valid points of order are –
 - (a) a speaker's remarks not being relevant to the motion or amendment being debated (see clause 7.7); and
 - (b) a speaker's use of offensive or objectionable expressions (see clause 7.14).

- (3) Despite anything in ~~these Standing Orders~~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 ~~Chairman~~Chairperson or presiding member must not be interrupted except on a point of order.
- (2) A member interrupted on a point of order must resume his or her 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.

8.4 Ruling by the ~~Chairman~~Chairperson or presiding member

- (1) The ~~Chairman~~Chairperson or presiding member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the presiding member on a point of order is to be final unless the majority of members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.
- (3) Subject to a motion of dissent being carried under subclause (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 direct the member to make an explanation, retraction or apology.

8.5 Continued breach of order

If a member –

- (a) persists in any conduct that the ~~Chairman~~Chairperson or presiding member ~~has~~has ruled is out of order; or
- (b) fails or refuses to comply with a direction from the presiding member (such as a direction under clause 7.7(2)(b), 7.15 or 8.4),

the presiding member may direct the member to refrain from taking any further part in the debate of that item, other than by voting, and the member must comply with that direction.

8.6 Presiding member may adjourn meeting

- (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.

Part 9 - Debate of substantive motions

9.1 Motions to be stated and in writing

- (1) A member who wishes to move a substantive motion, or an amendment to a substantive motion –
- (a) is to state the substance of the motion before speaking to it; and
 - (b) if required by the ChairmanChairperson or presiding member, is to put the motion or amendment in writing.
- (2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

9.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations (see clause 14.1).

9.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the ChairmanChairperson or presiding member may ask the meeting if any member opposes it.
- (2) If no member opposes the motion, the ChairmanChairperson or presiding member may put the motion directly to the vote.
- (3) If a member opposes the motion, the motion is to be dealt under this Part.
- (4) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a meeting (see Part 14).

9.4 Only one substantive motion at a time

The Council or committee –

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

9.5 Complex motions

The ChairmanChairperson or presiding member may require that ~~order~~ a complex substantive motion, or a complex amendment to a substantive 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.

9.6 Call of order in debate

The ~~Chairman~~Chairperson or presiding member is to call speakers to a substantive 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) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers, alternating between those against and for the motion; and
- (h) the mover invited to take the right of reply which closes debate.

9.7 Limit of debate

The ~~Chairman~~Chairperson or presiding member may offer the right of reply and put a substantive motion to the vote if he or she considers that sufficient discussion has taken place even though all members may not have spoken.

9.8 Members may require motion to be read

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

9.9 Consent of seconder required to amend motion

The mover of a substantive motion may not amend the motion without the consent of the seconder.

9.10 Order of amendments

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

9.11 Amendments must not negate original motion

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

9.12 Relevance of amendments

An amendment must be relevant to the substantive 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 substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

9.15 Withdrawal of motion and amendments

- (1) The Council or a committee may, without debate, grant leave to withdraw a substantive motion or amendment on the request of the mover of the motion or amendment if –
 - (a) it has the approval of the seconder; and
 - (b) there is no voice expressed to the contrary by any member, ~~in which case discussion on the motion or amendment is to continue.~~
- (2) If either paragraph (a) or (b) of subclause (1) ~~applies~~does not apply, the discussion on the motion or amendment is to continue.
- (3) Where an amendment has been proposed to a substantive motion, the substantive 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 substantive motion has the right of reply.
- (2) The right of the reply may be exercised only –
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (3) After the mover of the substantive motion has commenced the reply –
 - (a) no other member is to speak on the motion; and
 - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (4) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (5) At the conclusion of the right of reply, the substantive motion, or the substantive 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 substantive motion (under Part 9), a member may move any of the following procedural motions -

- (a) that the meeting proceed to the next item of business;

- (b) that the item be referred or adjourned to a Council or committee meeting;
- (c) that the meeting now adjourn;
- (d) that the motion be now put;
- (e) that the member be no longer heard;
- (f) that the ruling of the ~~Chairman~~Chairperson or presiding member be disagreed with; and
- (g) that the meeting be closed to members of the public (see clause 5.2).

10.2 No debate on procedural motion

- (1) The mover of a motion stated in paragraphs (a), (b), (c), (f) or (g) of clause 10.1 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 stated in paragraphs (d) and (e) of clause 10.1 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

A person who has moved, seconded, or spoken for or against a substantive motion, or any amendment to a substantive motion, cannot move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

10.4 Right of reply on substantive motion

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

10.5 Meeting to proceed to next item of business

A motion "that the meeting proceed to the next item of business", if carried, has the effect that –

- (a) the debate on the substantive motion or amendment ceases immediately; and
- (b) no decision is made on the substantive motion;
- (c) the meeting moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

10.6 Item to be referred or adjourned

A motion "that the item be adjourned" -

- (a) is to state the time to which the debate is to be adjourned (and the reasons for the motion); and

- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the meeting, and at the time, stated in the motion.

10.7 Meeting now adjourn

- (1) A member is not to move or second more than one motion of adjournment during the same meeting.
- (2) Before putting a motion for the adjournment, the ChairmanChairperson or presiding member may seek leave of the meeting to deal first with matters that may be the subject of an adoption by exception resolution (see clause 4.22);
- (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 subclause (3) is to continue from the point at which it was adjourned, unless the ChairmanChairperson or presiding member, or the meeting, determines otherwise.

10.8 Motion to be put

- (1) If a motion "that the motion be now put", is carried during discussion on a substantive motion without amendment, the ChairmanChairperson or presiding member is to offer the right of reply and then immediately put the motion to the vote without further debate.
- (2) If the motion, "that the motion be now put" is carried during debate of ~~the an~~ amendment, the presiding member is to put the amendment to the vote without further debate.
- (3) If the motion, "that the motion be now put" is lost, debate is to continue.

10.9 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 substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

10.10 Ruling of the ChairmanChairperson or presiding member be disagreed with

If the motion "that the ruling of the ChairmanChairperson or presiding member be disagreed with" is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 11 - Voting

11.1 Motion – when put

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the ChairmanChairperson or presiding member –
 - (a) is to put the motion to the meeting; and ,

(b) if requested by any member, is again to state the terms of the motion.

(2) A member must not leave a meeting when the ChairmanChairperson or the presiding member is putting any motion.

11.2 Voting

Voting is dealt with in the Act and the Regulations.

11.3 Majorities required for decisions

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

11.4 Method of taking vote

In taking the vote on any motion, 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 him or her to determine whether the affirmative or the negative has the majority of votes;
- (c) is to count and determine the votes of members in any way (such as electronically or by a show of hands) that enables a record to be taken of each member's vote; and
- (d) subject to this clause, is to declare the result.

Part 12 - Adjournment of meeting

12.1 Meeting may be adjourned

The Council or a committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

12.2 Limit to moving adjournment

No member is to move or second more than one motion of adjournment during the same meeting of the Council or committee.

12.3 Unopposed business – motion for adjournment

On a motion for the adjournment of the Council or committee, the ChairmanChairperson or presiding member, before putting the motion, may seek leave of the Council or committee to proceed to the transaction of unopposed business.

12.4 Withdrawal of motion for adjournment

A motion or an amendment relating to the adjournment of the Council or a committee may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

12.5 Time to which adjourned

The time to which a meeting is adjourned for want of a quorum, by the ~~Chairman~~Chairperson or presiding member to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

Part 13 - Minutes

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) If a member is dissatisfied with the accuracy of the unconfirmed minutes, he or she is to provide to the CEO a written copy of the alternative wording to amend the unconfirmed minutes no later than 3 clear working days before the meeting where the minutes are to be confirmed.
- (2) At that meeting, the member who provided the alternative wording shall, at the time for confirmation of minutes –
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.

Part 14 - Revoking or changing a decision

14.1 Requirements to revoke or change a decision

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

14.2 Limitations on powers to revoke or change a decision

- (1) In this clause –

authorisation means a licence, permit, approval or other means of authorising a person to do anything; and

implement, in relation to a decision, includes –

- (a) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
- (b) take any other action to give effect to the decision.

- (2) Subject to subclause (3), 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 12.4~~14.2 to implement the decision;
 - (b) where the decision concerns the grant of an authorisation, and where that authorisation has been communicated in writing by the EMRC to the applicant; or
 - (c) where the decision is procedural in its form or effect.
- (3) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (2)(a) or (b) if the motion is accompanied by a written statement, by or on behalf of the CEO, of the legal and financial consequences of the motion being carried.

Part 15 - Committees

15.1 Establishment and appointment 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 or functions of the committee;
 - (b) either –
 - (i) the names or titles of the members, employees and any other persons to be appointed to the committee; or
 - (ii) the number of members, employees and other persons to be appointed to the committee and a provision that they be appointed under a separate resolution; and
 - (c) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

15.2 Types of committees

The types of committees are dealt with in the Act.

15.3 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.

15.4 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.

15.5 Appointment of committee members

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

15.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

15.7 Appointment of deputies

The appointment of a person to be a deputy of a member of a committee is dealt with in the Act.

15.8 Resignation of committee members

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

15.9 Register of delegations to committees

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

15.10 Appointment of Participant members to committees

(1) Where the Council establishes a committee with a member from a Participant, the appointment of that member must be made according to the wishes of the Participant.

(2) Where the members of a committee established by the Council is to include an employee of a Participant, that employee is to be the CEO of the Participant, or an employee appointed by the CEO of the Participant.

15.11 Reports of committees – questions

Where a recommendation of a committee is submitted for adoption by the Council, any member of the Council may direct a question directly relating to the recommendation, through the ~~Chairman~~Chairperson or presiding member, to the presiding member of the committee or to any member of the committee in attendance.

15.12 Permissible motions on committee recommendations

A recommendation made by a committee may -

- (a) be adopted by the Council without amendment;
- (b) be rejected by the Council and replaced by an alternative decision;
- (c) be amended, and adopted as amended, by the Council; or
- (d) be referred back to the committee for further consideration.

15.13 ~~Standing Orders~~ This Local Law to apply

~~These Standing Orders~~This Local Law applyies generally to the proceedings of committees except for clause 7.8, in relation to the limit on the number of speeches.

-

(a) clause 7.2, in relation to seating; and

(b) clause 7.8, in relation to the limit on the number of speeches.

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Part 16 - Administrative matters

16.1 Suspension of ~~any provision of this Local Law~~ ~~Standing Orders~~

- (1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of the ~~Standing Orders~~ ~~provisions of this Local Law~~.
- (2) The mover of a motion to suspend temporarily any one or more of the ~~provisions of this Local Law~~ ~~Standing Orders~~ is to state the clause or clauses to be suspended, and the purpose of the suspension.
- (3) A ~~provision of this Local Law~~ ~~Standing Order~~ so suspended is to remain suspended until decided otherwise by the Council or the committee.

16.2 Cases not provided for in ~~Standing Orders~~ ~~this Local Law~~

- (1) The ~~Chairman~~ ~~Chairperson~~ or presiding member is to decide questions of procedure in cases where ~~these Standing Orders~~ ~~this Local Law~~ and the Act and Regulations are silent.
- (2) The decision of the ~~Chairman~~ ~~Chairperson~~ or presiding member in these cases is final, except where a motion is moved and carried under clause 10.1(f).

16.3 Representation ~~one~~ public bodies

Wherever it becomes necessary to nominate a member of the Council to represent the Council on a public body or State agency, that nomination must be made by the Council.

Part 17 - Enforcement

17.1 Penalty for breach

A person who breaches a provision of ~~these Standing Orders~~ ~~this Local Law~~ commits an offence.

Penalty: \$1,000 and a daily penalty of \$500.

17.2 Who can prosecute

Who can prosecute is dealt with in the Act.

Part 18 - Common seal

18.1 Custody of the common seal

The CEO is to have charge of the common seal of the EMRC, and is responsible for the safe custody and proper use of it.

18.2 Use of the common seal

The use of the common seal is dealt with in the Act.

18.3 Recording of common seal uses

The CEO is to record in a register each instance where the common seal of the EMRC was affixed to a document including -

- (a) the date on which it was affixed;
- (b) the nature of the document; and
- (c) where the document is an agreement, the parties to that agreement.

This local law was made by the EMRC at an Ordinary Meeting held on ~~21 March 2013~~.



Signature: _____
 PRINTED NAME: ~~CR ALAN PILGRIM~~ ~~PETER B. SCHNEIDER~~
 Public Office: ~~Chairman~~ ~~Chief Executive Officer~~ ~~Administering Authority:~~
 _____ ~~Eastern Metropolitan Regional Council~~

~~Gazetted Wednesday 26 June 2013 Number 103~~

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Draft 14/9/22

EMRC

MEETING PROCEDURES LOCAL LAW 2023

Meeting Procedures Local Law 2023

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Local Government Act 1995

Eastern Metropolitan Regional Council

Meeting Procedures Local Law 2023

Under the powers conferred by the Local Government Act 1995 and all other enabling powers, the Council of the Eastern Metropolitan Regional Council resolved on _____ to make the following local law.

Part 1 - Preliminary

1.1 Short title

- (1) This is the Eastern Metropolitan Regional Council Meeting Procedures Local Law 2023.
- (2) In the clauses that follow, this local law is referred to as 'this Local Law'.

1.2 Commencement

This local law commences 14 days after it is published in the Government Gazette.

1.3 Application and intent

- (1) This Local Law contains the rules that 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 its committees;
 - (b) the orderly conduct of meetings;
 - (c) better understanding of the process of conducting meetings; and
 - (d) more efficient and effective use of time at meetings.

1.4 Defined terms

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 or Acting Chief Executive Officer for the time being of the EMRC;

Chairperson means the Chairperson of the EMRC elected under the Establishment Agreement;

Code of Conduct means the EMRC Code of Conduct for Council Members, Committee Members and Candidates;

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

Council means the Council of the EMRC;

Deputy Chairperson means the Deputy Chairperson of the EMRC elected under the Establishment Agreement;

deputy member means a member of the council of a Participant appointed by the Participant under the Establishment Agreement to act temporarily in place of a member appointed by that Participant;

employee has the same meaning as is given to it in the Act;

EMRC means the Eastern Metropolitan Regional Council;

Establishment Agreement means the establishment agreement between the Participants ;

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

member means a member of the council of a Participant appointed by the Participant under the Establishment Agreement to be a member of the Council;

Participant means a party to the Establishment Agreement;

presiding member means -

- (a) in respect of the Council, the Chairperson or other person presiding under section 5.6 of the Act (see clause 3.1); and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13 and 5.14 of the Act (see clauses 3.4 and 3.5);

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

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

special majority has the meaning given to it in the Act; and

substantive motion means an original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion.

1.5 Interpretation

Unless otherwise defined, the terms used in this Local Law have the meaning given to them in the Act and Regulations.

1.6 Deputy member

- (1) If a member is unable to attend a meeting or part of a meeting, a deputy member may attend in place of that member provided that –
 - (a) the deputy member has been appointed by the Participant which appointed the absent member.

- (b) the deputy member has made a declaration in the prescribed form (under section 2.29 of the Act) before acting in the office.
- (2) While attending a meeting in place of a member, a deputy member has all the powers of that member.

1.7 Repeal

The Eastern Metropolitan Regional Council Standing Orders Local Law 2013, published in the Government Gazette on 26 June 2013, is repealed.

Part 2 - Meetings of the Council and committees

2.1 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.

2.2 Calling Council meetings

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

2.3 Convening Council meetings

- (1) The convening of a Council meeting is dealt with in the Act.
- (2) Subject to subclause (3), the CEO is to give at least 48 hours' notice, for the purposes of section 5.5 of the Act, in convening a special meeting of the Council.
- (3) Where, in the opinion of the Chairperson or at least 1/3 of the members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting

2.4 Calling committee meetings

A meeting of a committee is to be held –

- (a) if called for in a verbal or written request to the CEO by the Chairperson or by the presiding member of the committee, setting out the date and purpose of the proposed meeting;
- (b) if called for by at least 1/3 of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting;
- (c) if called for by the CEO; or
- (d) in accordance with a decision of the Council or the committee.

2.5 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

2.6 Minor irregularity

The legal effect of a minor irregularity on the validity of a meeting is dealt with in the *Interpretation Act 1984*.

Part 3 - Presiding member and quorum

3.1 Who presides

Who presides at a Council meeting is dealt with in the Act.

3.2 When the Deputy Chairperson can act

When the Deputy Chairperson can act is dealt with in the Act.

3.3 Who acts if no Chairperson or Deputy Chairperson

Who acts if there is no Chairperson is dealt with in the Act.

3.4 Election of presiding members of committees

The election of presiding members of committees is dealt with in the Act.

3.5 Election of deputy presiding members of committees

The election of deputy presiding members of committees is dealt with in the Act.

3.6 Functions of deputy presiding members

The functions of deputy presiding members are dealt with in the Act.

3.7 Who acts if no presiding member

Who acts if there is no presiding member is dealt with in the Act

3.8 Quorum for meetings

The quorum for meetings is dealt with in the Act.

3.9 Attendance by means of instantaneous communication

The circumstances in which a person who is not physically present at a meeting of the Council or a committee is taken to be present at the meeting are dealt with in the Regulations.

3.10 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.

3.11 Reduction of quorum for committee meetings

The reduction of a quorum for committee meetings is dealt with in the Act.

3.12 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.

3.13 Procedure where quorum not present during a meeting

If at any time during a meeting a quorum is not present –

- (a) the Chairperson or presiding member is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes;
- (b) if a quorum is not present at the expiry of the suspension period under subclause (a), the Chairperson or presiding member may either adjourn the meeting to some future time or date or may extend the extension period for a further period of 30 minutes; and
- (c) if a quorum is not present at the expiry of the extended period of suspension under subclause (b), the Chairperson or presiding member is to adjourn the meeting to a later time on the same day or to another day.

3.14 Names to be recorded

At any meeting –

- (a) at which there is not a quorum present to begin the meeting; or
- (b) which is adjourned under clause 3.13,

the names of the members then present are to be recorded in the minutes.

Part 4 - Business of a meeting

4.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.
- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) No business is to be transacted at a committee meeting other than that specified in the agenda, or given in the notice of the meeting as the purpose of the meeting, without the approval of the presiding member or a decision of the committee.
- (4) Where a Council meeting is adjourned to the next ordinary meeting of the Council, the business unresolved at the meeting that is adjourned is to be dealt with under item 13 of clause 4.2 at that ordinary meeting.
- (5) Where a committee meeting is adjourned to the next ordinary committee meeting, the business unresolved at the meeting that is adjourned is to be given precedence at that ordinary meeting.
- (6) Where a Council or committee meeting is adjourned to a meeting not described in subclauses (4) or (5), no business is to be transacted at that later meeting other than that

- (a) specified in the notice of the meeting that is adjourned; and
- (b) which remains unresolved.

4.2 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 and announcement of visitors
2. Record of attendance, apologies and leave of absence (previously approved)
3. Disclosure of interests
4. Announcements by the Chairperson or presiding member without discussion
5. Response to previous public questions taken on notice
6. Public question time
7. Applications for leave of absence
8. Petitions, deputations and presentations
9. Confirmation of minutes of previous meetings
10. Questions by members of which due notice has been given
11. Questions by members without notice
12. Announcement of confidential matters for which meetings may be closed to the public
13. Business not dealt with from a previous meeting
14. Reports of employees
15. Reports of committees
16. Reports of delegates
17. Members' motions of which previous notice has been given
18. New business of an urgent nature approved by the Chairperson or presiding member or by decision of the meeting
19. Confidential matters for which the meeting may be closed to the public
20. Future meetings of Council
21. Declaration of closure of meeting

(2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the notice of, or agenda for, the meeting.

(3) Notwithstanding subclauses (1) and (2), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.

4.3 Change to the order of business

(1) The Chairperson or presiding member may propose a change to the order of business.

(2) Any member may move that a change in order of business proposed by the Chairperson or presiding member not be accepted and, if carried by a majority of members present, the proposed change in order is not to take place.

4.4 Disclosure of Interest

Written notices of disclosure of interests are to be announced –

- (a) at item 3 of clause 4.2(1); and
- (b) immediately before the matter to which the disclosure relates is discussed.

4.5 Announcements by the Chairperson or presiding member

Announcements by the Chairperson or presiding member under item 4 of clause 4.2(1) are –

- (a) to inform the Council or the committee of any matter of interest or relevance to the business of the Council or a committee;
- (b) to be brief and concise; and
- (c) to be completed within 10 minutes.

4.6 Response to previous questions taken on notice

Where a question is taken on notice, the CEO is to ensure that -

- (a) a written answer is forwarded to the questioner as soon as practicable; and
- (b) a summary of the answer is recorded in the minutes of the following meeting of the Council or committee under item 5 of clause 4.2(1).

4.7 Public question time

Provisions relating to public question time are set out in Part 5 of this Local Law.

4.8 Application for leave of absence

(1) A request for leave of absence may be made by a member –

- (a) verbally at the meeting; or
- (b) in writing to the CEO before the meeting.

(2) The grant of leave of absence is dealt with in the Act.

4.9 Petitions, deputations and presentations

Provisions relating to petitions, deputations and presentations are set out in Part 5 of this Local Law.

4.10 Confirmation of minutes of previous meetings

Provisions relating to minutes are set out in Part 13 of this Local Law.

4.11 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 48 hours before the meeting at which it is to be asked.

(2) If the CEO considers that the question breaches or may breach this Local Law or any other law –

- (a) the CEO is to refer the question to the Chairperson;
- (b) the Chairperson is to exclude the question if he or she concurs with the view of the CEO; and

- (c) if the question is excluded, the CEO is to give all members, as soon as practicable but not later than the next ordinary meeting, the reasons for the exclusion.
- (3) Notice of a question that is not withdrawn or excluded under subclause (2), together with the answer to that question, are -
 - (a) where practicable, to be included in the agenda of the meeting; or
 - (b) otherwise, to be tabled at the meeting.
 - (4) Each question and answer is to be submitted as briefly and concisely as possible and, unless with the consent of the Chairperson or presiding member, there is to be no discussion on the question or answer.

4.12 Questions without notice

- (1) In this clause, question includes a request for information.
- (2) At any time during the debate on a motion, before the motion is put, a member may ask a question and, with the consent of the Chairperson or the presiding member, may ask one or more further questions.
- (3) A question asked by a member, and a response given by a member or an employee –
 - (a) is to be brief and concise; and
 - (b) is not to be accompanied by –
 - (i) expressions of opinion, statement of fact or other comment, except where necessary to explain the question or answer; or
 - (ii) any discussion or further question, except with the consent of the Chairperson or presiding member.
- (4) Where a question requests information from an employee who is present at the meeting, the employee may ask that -
 - (a) the question be placed on notice for the next meeting of the Council; or
 - (b) the answer to the question be given to the member who asked it prior to the next ordinary meeting of the Council.
- (5) If the answer to the question without notice cannot be given at the meeting at which it is asked, the member asking the question may request that the answer be given to the appropriate committee or Council meeting and the Chairperson or presiding member may, if he or she thinks fit, so direct.

4.13 Announcement of confidential matters for which meetings may be closed to the public

Any confidential matters for which the meeting may be closed to the public are to be announced under item 12 of clause 4.2(1).

4.14 Business not dealt with from a previous meeting

The Council is to deal, under item 13 of clause 4.2(1), with any business that was listed on the agenda of a previous meeting and has not been dealt with.

4.15 Employee reports

The Council is to deal, under item 14 of clause 4.2(1), with any employee reports included in the agenda under this item by the CEO.

4.16 Reports of committees

The Council is to deal, under item 15 of clause 4.2(1), with reports of committees.

4.17 Reports of delegates

- (1) Under item 16 of clause 4.2(1) a member may give a written or oral report on an activity undertaken by the member on behalf of the EMRC.
- (2) Unless the Council decides otherwise on the grounds of urgency, a report which requires a decision of the Council must be the subject of a written report by or on behalf of the CEO.
- (3) The Chairperson or presiding member may declare any report by a member to be out of order and, if he or she does so, the member must immediately cease speaking.

4.18 Members' 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 of the EMRC as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be given at least 4 clear working days before the meeting at which the motion is proposed to be moved.
- (3) A notice of motion must relate to the regional purposes for which the EMRC is established under the Establishment Agreement.
- (4) The CEO -
 - (a) with the concurrence of the Chairperson or presiding member, may exclude from the notice paper any notice of motion that he or she considers to be out of order; or
 - (b) may make such amendments to the form, but not the substance, as will bring the notice of motion into due form.
- (5) A notice of motion is not out of order because its subject is considered to be objectionable.
- (6) If a notice of motion is excluded under subclause (4), the CEO is to provide the reason for its exclusion to all members as soon as practicable.
- (7) The CEO may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law.

- (8) A motion of which notice has been given is to lapse unless -
- (a) the member who gave notice of it, or some other member authorised by him or her in writing, moves the motion when called on; or
 - (b) the Council or committee on a motion decides to defer consideration of the motion to a later stage or date.
- (9) If a notice of motion is given and lapses in the circumstances referred to in subclause (8), a notice of motion in substantially the same terms, or to substantially the same effect, is not to be given again for at least 3 months from the date of the lapse.

4.19 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstance, matters may, on the initiative of the Chairperson or presiding member or by way of a motion that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), “cases of extreme urgency or other special circumstances” means matters –
- (a) that have arisen after the preparation of the agenda that are considered by the meeting to be of such importance and urgency that they are unable to be dealt with administratively by the EMRC and must be considered and dealt with by the Council before the next meeting; and
 - (b) that, if not dealt with at the meeting, are likely to –
 - (i) have a significant adverse effect (financially or otherwise) on the EMRC; or
 - (ii) result in a contravention of a written law.
- (3) Before debate begins on a matter under this clause that is not the subject of a written employee report to the meeting –
- (a) the Chairperson or 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.
- (4) 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.

4.20 Confidential matters for which the meeting may be closed to the public

Provisions relating to the closure of all or part of the meeting to the public are set out in Part 5 of this Local Law.

4.21 Future meetings of Council

Under item 20 of clause 4.2(1), future meeting dates as previously resolved or amended (in accordance with the Act and Regulations) are to be listed.

4.22 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means –
 - (a) a resolution of the Council that has the effect of adopting, for each of a number of specifically identified reports, the committee or employee recommendation as the Council resolution; and
 - (b) a resolution of a committee that has the effect of adopting, for each of a number of specifically identified reports, the employee recommendation as the committee resolution.
- (2) Subject to subclause (3), the Council or a committee may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter –
 - (a) that requires an absolute majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or
 - (e) that is a matter on which a member wishes to move a motion that is different to the recommendation.

4.23 Closure – time limits for meetings

- (1) If a meeting of the Council is in progress 3 hours after its commencement –
 - (a) the Chairperson or presiding member is to give the Council the opportunity to decide whether the meeting should continue;
 - (b) the meeting may continue –
 - (i) for up to 1 more hour;
 - (ii) only if a motion that the meeting continue is carried; and
 - (iii) only for the time (up to 1 more hour) specified in that motion; and
 - (c) the Chairperson or presiding member is to adjourn the meeting –
 - (i) if the motion under paragraph (b) is not carried; or
 - (ii) at the conclusion of any extension specified in a motion that is carried under paragraph (b).
- (2) Subject to subclause (1), each Council and committee meeting is to be closed not later than 11.00pm.

Part 5 - Public participation

5.1 Meetings generally open to the public

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

5.2 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 (other than any person specified in a resolution).
- (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 to members of the public a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried –
 - (a) the presiding member is to direct everyone to leave the meeting except –
 - (i) the members;
 - (ii) the CEO;
 - (iii) any other employee of the EMRC specified in a resolution; and
 - (iv) any other person specified in a resolution; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3) may, by order of the presiding member, be removed from the meeting.
- (5) A resolution under this clause may be made without notice of the relevant motion.
- (6) The CEO may require any person, other than a member or employee, to sign a confidentiality agreement relating to the disclosure of information acquired at a meeting closed to members of the public.
- (7) Unless the Council or the committee resolves otherwise, once the meeting is reopened to members of the public the presiding member is to ensure that –
 - (a) any resolution of the Council or committee made while the meeting was closed is to be read out; and
 - (b) the vote of a member or members is recorded in the minutes.

5.3 Question time for the public

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

5.4 Question time for the public at certain meetings

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

5.5 Minimum question time for the public

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

5.6 Procedures for question time for the public

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

5.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must –
 - (a) first state his or her name and address;
 - (b) direct the question to the presiding member;
 - (c) ask the question briefly and concisely;
 - (d) limit any preamble to matters directly relevant to the question; and
 - (e) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
- (2) Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
- (3) A member of the public may give prior written notice to the CEO of the text or substance of a question that he or she wishes to ask at a meeting.
- (4) Unless the presiding member determines otherwise, a question of which prior written notice has been given to the CEO is to be given priority in question time.
- (5) Where a member of the public gives written notice of a question, the presiding member may determine that the question is to be responded to as normal business correspondence.
- (6) A question may be taken on notice by the Council or committee for later response.
- (7) When a question is taken on notice, the CEO is to ensure that –
 - (a) a written response is given to the person who asked the question; and
 - (b) a summary of the response is included in the agenda for the next meeting of the Council or committee.
- (8) Where a question relating to a matter in which a person has an interest is directed to that person, that 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.
- (9) A response to a question –
 - (a) is to be brief and concise; and

- (b) is not to be the subject of any discussion, except that if in the opinion of a member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the presiding member) the member may correct or clarify the matter.
- (10) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes.
- (11) The presiding member may decide that a question is not to be responded to where –
- (a) the same or similar question was asked at a previous meeting, a response was provided and the person who asked the question is directed to the minutes of the meeting at which the response was provided;
 - (b) it is in the form of a statement, provided that the presiding member has taken reasonable steps to assist the person to phrase the statement as a question; or
 - (c) the question is offensive or defamatory in nature, or is one which, if asked by a member, would be in breach of this Local Law or any other law.
- (12) The Council or committee, by resolution, may agree to extend public question time.

5.8 Distinguished visitor

If a distinguished visitor is present at a meeting of the Council or a committee, the Chairperson or presiding member –

- (a) may invite the distinguished visitor to sit beside the Chairperson or presiding member or at the Council table;
- (b) may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting; and
- (c) may direct that the presence of the distinguished visitor be recorded in the minutes.

5.9 Petitions

- (1) A petition must -
- (a) be addressed to the Chairperson;
 - (b) be made by electors of the Participants;
 - (c) state the request on each page;
 - (d) contain the legible names, addresses and signatures of the electors making the request, and the date each elector signed;
 - (e) contain a summary of the reasons for the request;
 - (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
 - (g) be respectful and temperate in its language; and
 - (h) comply with any form prescribed by the Act or any other written law.

- (2) On the presentation of a petition –
 - (a) the member presenting it is confined to reading the petition; and
 - (b) the only motion that is in order is that the petition be received and, if necessary, that it be referred for the CEO's report.
- (3) At any meeting, the Council or committee 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 or committee has considered the issues raised in the petition.

5.10 Deputations

- (1) A deputation may be made to the Council or a committee in accordance with this clause.
- (2) A person or group who wishes to be received as a deputation by the Council or a committee must –
 - (a) apply in writing to the CEO for approval; and
 - (b) include with the application information relating to the subject matter to be raised by the deputation in concise terms, but in sufficient detail to provide a general understanding of the purpose of the delegation.
- (3) The CEO is to refer a copy of a summary of the application –
 - (a) to the Chairperson – if the request is to attend a Council meeting; or
 - (b) the presiding member – if the request is to attend a committee meeting.
- (4) The Chairperson or presiding member (as the case may be) –
 - (a) may approve the request, in which case the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be; or
 - (b) may ask the CEO to refer the request to the Council or committee to decide whether or not to receive the deputation.
- (5) Unless the meeting resolves otherwise -
 - (a) a deputation is not to exceed 5 people, only 2 of whom may address the meeting, although others may respond to specific questions from the members; and
 - (b) the deputation may address the meeting for up to 15 minutes.
- (6) For the purposes of this clause, a deputation comprises all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (7) A matter which is the subject of a deputation to the committee is not to be decided by the committee until the deputation has completed its presentation.

- (8) Where a deputation is to be received by the committee, the person or group comprising of the deputation is to address the meeting at the relevant part in the order of business as detailed in clause 4.2(2).
- (9) Any item of business to be discussed at a committee meeting that is subject of a received deputation, is to be brought forward in the order of business for the meeting as the next item of business after the deputation has been received.

5.11 Participation at committee meetings

- (1) In this clause a reference to a “person” is to a person who –
 - (a) is entitled to attend a committee meeting;
 - (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) A member may attend, as an observer, any meeting of a committee of which he or she is not a member or the deputy of a member (acting in place of the member).
- (3) Without the consent of the presiding member, a person must not address a committee meeting.
- (4) The presiding member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (5) A person addressing the committee with the consent of the presiding member must cease that address immediately after being directed to do so by the presiding member.
- (6) A person who fails to comply with a direction of the presiding member under subclause (5) may, by order of the presiding member, be removed from the committee room.
- (7) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

5.12 Public inspection of agenda material

The right of a member of the public to inspect the documents relating to a Council or committee meeting are dealt with in the Regulations.

5.13 Confidentiality of information withheld

- (1) Information withheld by the CEO from members of the public under regulation 14(2) of the Regulations is to be -
 - (a) identified in the agenda of a Council or committee meeting under item 19 of clause 4.2(1) (ie “Confidential matters for which the meeting may be closed to the public”);
 - (b) marked “confidential” in the agenda; and
 - (c) kept confidential by members and employees until the Council or committee resolves otherwise.
- (2) A member or an employee who has –

- (a) confidential information under subclause (1); or
- (b) information that is provided or disclosed for the purposes of, or during, a meeting or part of a meeting that is closed to the public,

must not disclose any part of that information to any person other than another member or an employee of the Council to the extent necessary for the purpose of carrying out his or her functions.

- (3) Subclause (2) does not prevent a member or employee 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;
 - (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.

5.14 Recording of proceedings

- (1) A person must not use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the permission of the Council.
- (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 or committee.

5.15 Prevention of disturbance

- (1) A reference in this clause to a “person” is to a person other than a member.
- (2) A person must ensure that his or her electronic communication or information device is not switched on or used during any meeting of the Council or a committee.
- (3) A person addressing the Council or a committee must extend due courtesy and respect to the Council or committee and the processes under which it operates and must comply with any direction by the presiding member.
- (4) A person present at or observing a meeting must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (5) The presiding member may warn a person who fails to comply with this clause.
- (6) If –
 - (a) after being warned, the person again acts contrary to this clause, or to this Local Law; or

(b) a person refuses or fails to comply with a direction by the presiding member,

the presiding member may expel the person from the meeting by ordering him or her to leave the meeting room.

- (7) A person who is ordered to leave the meeting room and fails to do so may, by order of the presiding member, be removed from the meeting room and, if the presiding member orders, from the premises.

Part 6 - Disclosure of interests

6.1 Disclosure of interests

The requirements for members and employees to disclose financial and other interests, the nature of the interests that must be disclosed, and related matters, are dealt with in the Act, the Regulations and the Code of Conduct.

6.2 Separation of committee recommendations

Where, at a committee meeting, a member discloses a financial or proximity interest in a matter, and the matter is included in the recommendations (or part of the recommendations) of the committee to a Council or to another committee meeting that will or may be attended by the member, the agenda of that Council or committee meeting is to separate the relevant recommendation (or relevant part of the recommendations) from other recommendations of the committee.

Part 7 - Conduct of members

7.1 Official titles to be used

A speaker, when speaking or referring to the Chairperson or Deputy Chairperson, or to a member or employee, must use the title of that person's office.

7.2 Members to occupy own seats

- (1) At Council meetings, members must be seated in the positions determined by the Council.
- (2) At committee meetings, committee members must be seated in those positions, if any, that are determined by the relevant committee.

7.3 Entering or leaving a meeting

During the course of a meeting, a member must not enter or leave the meeting without giving an appropriate indication, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Members who wish to speak

A member who wishes to speak at a Council meeting –

- (a) must indicate his or her intention to speak by raising his or her hand, or by any other method determined by the Council; and
- (b) when invited by the Chairperson or presiding member to speak, must address the meeting through the Chairperson or presiding member and, unless

otherwise determined by the Council, may either rise or remain seated while speaking.

7.5 Priority of speaking

- (1) At a Council meeting where 2 or more members indicate, at the same time, their intention to speak, the Chairperson or presiding member is to decide which member is entitled to be heard first.
- (2) At a committee meeting, the presiding member is first to invite committee members to speak followed by, at the discretion of the presiding member, other members and attendees.
- (3) A decision of the Chairperson or presiding member under this clause is not open to discussion or dissent.

7.6 The Chairperson or presiding member may take part in debates

- (1) Subject to compliance with the procedures for the debate of motions contained in this Local Law, the Chairperson or presiding member, without vacating the chair, may take part in a discussion of any matter before the meeting.
- (2) Before the Chairperson or presiding member moves a motion or amendment, he or she must first vacate the chair and the Deputy Chairperson or other person elected for the purpose is to preside over the meeting while the motion or amendment is being debated and voted upon.

7.7 Relevance

- (1) A member must restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The Chairperson or presiding member, at any time, may –
 - (a) draw the attention of the meeting to any irrelevant or repetitious remarks by a member; or
 - (b) direct that member, if speaking, to discontinue his or her speech.
- (3) A member must comply with the direction of the presiding member under subclause (2) by immediately ceasing to speak.

7.8 Speaking twice

- (1) A member must not 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.

7.9 Duration of speeches

A member must not speak on any matter for more than 5 minutes without the consent of the meeting which, if given, is to be given without discussion.

7.10 No speaking after conclusion of debate

A member must not speak on any motion or amendment –

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

7.11 No interruption

A member must not 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 7.16; or
- (d) to move a procedural motion that the member be no longer heard (see clause 10.1(e)).

7.12 Respect for the Chairperson or presiding member and speaker

A member must not –

- (a) while a motion is being voted on, walk out of or across the meeting room ; and
- (b) while any other member is speaking, pass between the speaker and the Chairperson or presiding member.

7.13 No re-opening of discussion

A member must not re-open a discussion on any decision of the Council or committee, except to move that the decision be revoked or changed (see Part 14).

7.14 Offensive language

- (1) A member must not reflect adversely on a decision of the Council or a committee except on a motion that the decision be revoked or changed (see Part 14).
- (2) A member must not –
 - (a) reflect adversely on the character or actions of another member or employee;
 - (b) impute any motive to a member or employee; or
 - (c) use an expression that is offensive or objectionable.
- (3) A member must not use offensive or objectionable expressions in reference to any other member, employee or other person.

7.15 Withdrawal of offensive language

A member who, in the opinion of the Chairperson or presiding member –

- (a) reflects adversely on the character or actions of another member or employee;
- (b) imputes any motive to a member or employee; or
- (c) uses an expression that is offensive or objectionable,

must, when directed by the Chairperson or presiding member, withdraw the reflection, imputation or expression and make a satisfactory apology.

7.16 Personal explanation

- (1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking must indicate to the Chairperson or presiding member his or her intention to make a personal explanation.
- (2) The Chairperson or 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 must confine his or her observations to a succinct statement relating to the specific part of the speech at which he or she may have been misunderstood.

Part 8 - Preserving Order

8.1 The Chairperson or presiding member to preserve order

The Chairperson or presiding member is to preserve order and, whenever he or she considers it necessary, may –

- (a) call a member to order; or
- (b) may direct a member to cease breaching, or to comply with, any provision of this Local Law.

8.2 Point of order

- (1) A member may object, by way of a point of order, only to a breach of –
 - (a) any provision of this Local Law; or
 - (b) any other written law.
- (2) Examples of valid points of order are –
 - (a) a speaker's remarks not being relevant to the motion or amendment being debated (see clause 7.7); and
 - (b) a speaker's use of offensive or objectionable expressions (see clause 7.14).
- (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 Chairperson or presiding member must not be interrupted except on a point of order.
- (2) A member interrupted on a point of order must resume his or her 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.

8.4 Ruling by the Chairperson or presiding member

- (1) The Chairperson or presiding member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the presiding member on a point of order is to be final unless the majority of members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.
- (3) Subject to a motion of dissent being carried under subclause (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 direct the member to make an explanation, retraction or apology.

8.5 Continued breach of order

If a member –

- (a) persists in any conduct that the Chairperson or presiding member has ruled is out of order; or
- (b) fails or refuses to comply with a direction from the presiding member (such as a direction under clause 7.7(2)(b), 7.15 or 8.4),

the presiding member may direct the member to refrain from taking any further part in the debate of that item, other than by voting, and the member must comply with that direction.

8.6 Presiding member may adjourn meeting

- (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.

Part 9 - Debate of substantive motions

9.1 Motions to be stated and in writing

- (1) A member who wishes to move a substantive motion, or an amendment to a substantive motion –
 - (a) is to state the substance of the motion before speaking to it; and
 - (b) if required by the Chairperson or presiding member, is to put the motion or amendment in writing.
- (2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

9.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations (see clause 14.1).

9.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the Chairperson or presiding member may ask the meeting if any member opposes it.
- (2) If no member opposes the motion, the Chairperson or presiding member may put the motion directly to the vote.
- (3) If a member opposes the motion, the motion is to be dealt under this Part.
- (4) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a meeting (see Part 14).

9.4 Only one substantive motion at a time

The Council or committee –

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

9.5 Complex motions

The Chairperson or presiding member may require that a complex substantive motion, or a complex amendment to a substantive 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.

9.6 Call of order in debate

The Chairperson or presiding member is to call speakers to a substantive 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) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers, alternating between those against and for the motion; and
- (h) the mover invited to take the right of reply which closes debate.

9.7 Limit of debate

The Chairperson or presiding member may offer the right of reply and put a substantive motion to the vote if he or she considers that sufficient discussion has taken place even though all members may not have spoken.

9.8 Members may require motion to be read

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

9.9 Consent of seconder required to amend motion

The mover of a substantive motion may not amend the motion without the consent of the seconder.

9.10 Order of amendments

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

9.11 Amendments must not negate original motion

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

9.12 Relevance of amendments

An amendment must be relevant to the substantive 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 substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

9.15 Withdrawal of motion and amendments

- (1) The Council or a committee may, without debate, grant leave to withdraw a substantive motion or amendment on the request of the mover of the motion or amendment if –
 - (a) it has the approval of the seconder; and
 - (b) there is no voice expressed to the contrary by any member.
- (2) If either paragraph (a) or (b) of subclause (1) does not apply, the discussion on the motion or amendment is to continue.
- (3) Where an amendment has been proposed to a substantive motion, the substantive 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 substantive motion has the right of reply.
- (2) The right of the reply may be exercised only –
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (3) After the mover of the substantive motion has commenced the reply –
 - (a) no other member is to speak on the motion; and
 - (b) there is to be no further discussion on, or any further amendment to, the motion.
- (4) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (5) At the conclusion of the right of reply, the substantive motion, or the substantive 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 substantive motion (under Part 9), a member may move any of the following procedural motions -

- (a) that the meeting proceed to the next item of business;
- (b) that the item be referred or adjourned to a Council or committee meeting;
- (c) that the meeting now adjourn;
- (d) that the motion be now put;
- (e) that the member be no longer heard;

- (f) that the ruling of the Chairperson or presiding member be disagreed with; and
- (g) that the meeting be closed to members of the public (see clause 5.2).

10.2 No debate on procedural motion

- (1) The mover of a motion stated in paragraphs (a), (b), (c), (f) or (g) of clause 10.1 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 stated in paragraphs (d) and (e) of clause 10.1 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

A person who has moved, seconded, or spoken for or against a substantive motion, or any amendment to a substantive motion, cannot move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

10.4 Right of reply on substantive motion

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

10.5 Meeting to proceed to next item of business

A motion “that the meeting proceed to the next item of business”, if carried, has the effect that –

- (a) the debate on the substantive motion or amendment ceases immediately; and
- (b) no decision is made on the substantive motion;
- (c) the meeting moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

10.6 Item to be referred or adjourned

A motion “that the item be adjourned” -

- (a) is to state the time to which the debate is to be adjourned (and the reasons for the motion); and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the meeting, and at the time, stated in the motion.

10.7 Meeting now adjourn

- (1) A member is not to move or second more than one motion of adjournment during the same meeting.

- (2) Before putting a motion for the adjournment, the Chairperson or presiding member may seek leave of the meeting to deal first with matters that may be the subject of an adoption by exception resolution (see clause 4.22);
- (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 subclause (3) is to continue from the point at which it was adjourned, unless the Chairperson or presiding member, or the meeting, determines otherwise.

10.8 Motion to be put

- (1) If a motion “that the motion be now put”, is carried during discussion on a substantive motion without amendment, the Chairperson or presiding member is to offer the right of reply and then immediately put the motion to the vote without further debate.
- (2) If the motion, “that the motion be now put” is carried during debate of an amendment, the presiding member is to put the amendment to the vote without further debate.
- (3) If the motion, “that the motion be now put” is lost, debate is to continue.

10.9 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 substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

10.10 Ruling of the Chairperson or presiding member be disagreed with

If the motion “that the ruling of the Chairperson or presiding member be disagreed with” is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 11 - Voting

11.1 Motion – when put

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the Chairperson or presiding member –
 - (a) is to put the motion to the meeting; and ,
 - (b) if requested by any member, is again to state the terms of the motion.
- (2) A member must not leave a meeting when the Chairperson or the presiding member is putting any motion.

11.2 Voting

Voting is dealt with in the Act and the Regulations.

11.3 Majorities required for decisions

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

11.4 Method of taking vote

In taking the vote on any motion, 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 him or her to determine whether the affirmative or the negative has the majority of votes;
- (c) is to count and determine the votes of members in any way (such as electronically or by a show of hands) that enables a record to be taken of each member's vote; and
- (d) subject to this clause, is to declare the result.

Part 12 - Adjournment of meeting

12.1 Meeting may be adjourned

The Council or a committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

12.2 Limit to moving adjournment

No member is to move or second more than one motion of adjournment during the same meeting of the Council or committee.

12.3 Unopposed business – motion for adjournment

On a motion for the adjournment of the Council or committee, the Chairperson or presiding member, before putting the motion, may seek leave of the Council or committee to proceed to the transaction of unopposed business.

12.4 Withdrawal of motion for adjournment

A motion or an amendment relating to the adjournment of the Council or committee may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

12.5 Time to which adjourned

The time to which a meeting is adjourned for want of a quorum, by the Chairperson or presiding member to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

Part 13 - Minutes

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) If a member is dissatisfied with the accuracy of the unconfirmed minutes, he or she is to provide to the CEO a written copy of the alternative wording to amend the unconfirmed minutes no later than 3 clear working days before the meeting where the minutes are to be confirmed.
- (2) At that meeting, the member who provided the alternative wording shall, at the time for confirmation of minutes –
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.

Part 14 - Revoking or changing a decision

14.1 Requirements to revoke or change a decision

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

14.2 Limitations on powers to revoke or change a decision

- (1) In this clause –

authorisation means a licence, permit, approval, or other means of authorising a person to do anything; and

implement, in relation to a decision, includes –

- (a) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
 - (b) take any other action to give effect to the decision.
- (2) Subject to subclause (3), 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 to implement the decision;
 - (b) where the decision concerns the grant of an authorisation, and where that authorisation has been communicated in writing by the EMRC to the applicant; or
 - (c) where the decision is procedural in its form or effect.
 - (3) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (2)(a) or (b) if the motion is accompanied by a written

statement, by or on behalf of the CEO, of the legal and financial consequences of the motion being carried.

Part 15 - Committees

15.1 Establishment and appointment 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 or functions of the committee;
 - (b) either –
 - (i) the names or titles of the members, employees and any other persons to be appointed to the committee; or
 - (ii) the number of members, employees and other persons to be appointed to the committee and a provision that they be appointed under a separate resolution; and
 - (c) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

15.2 Types of committees

The types of committees are dealt with in the Act.

15.3 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.

15.4 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.

15.5 Appointment of committee members

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

15.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

15.7 Appointment of deputies

The appointment of a person to be a deputy of a member of a committee is dealt with in the Act.

15.8 Resignation of committee members

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

15.9 Register of delegations to committees

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

15.10 Appointment of Participant members to committees

- (1) Where the Council establishes a committee with a member from a Participant, the appointment of that member must be made according to the wishes of the Participant.
- (2) Where the members of a committee established by the Council is to include an employee of a Participant, that employee is to be the CEO of the Participant, or an employee appointed by the CEO of the Participant.

15.11 Reports of committees – questions

Where a recommendation of a committee is submitted for adoption by the Council, any member of the Council may direct a question directly relating to the recommendation, through the Chairperson or presiding member, to the presiding member of the committee or to any member of the committee in attendance.

15.12 Permissible motions on committee recommendations

A recommendation made by a committee may -

- (a) be adopted by the Council without amendment;
- (b) be rejected by the Council and replaced by an alternative decision;
- (c) be amended, and adopted as amended, by the Council; or
- (d) be referred back to the committee for further consideration.

15.13 This Local Law to apply

This Local Law applies generally to the proceedings of committees except for clause 7.8, in relation to the limit on the number of speeches.

Part 16 - Administrative matters

16.1 Suspension of any provision of this Local Law

- (1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of the provisions of this Local Law.
- (2) The mover of a motion to suspend temporarily any one or more of the provisions of this Local Law is to state the clause or clauses to be suspended, and the purpose of the suspension.
- (3) A provision of this Local Law so suspended is to remain suspended until decided otherwise by the Council or the committee.

16.2 Cases not provided for in this Local Law

- (1) The Chairperson or presiding member is to decide questions of procedure in cases where this Local Law and the Act and Regulations are silent.

- (2) The decision of the Chairperson or presiding member in these cases is final, except where a motion is moved and carried under clause 10.1(f).

16.3 Representation on public bodies

Wherever it becomes necessary to nominate a member of the Council to represent the Council on a public body or State agency, that nomination must be made by the Council.

Part 17 - Enforcement

17.1 Penalty for breach

A person who breaches a provision of this Local Law commits an offence.

Penalty: \$1,000 and a daily penalty of \$500.

17.2 Who can prosecute

Who can prosecute is dealt with in the Act.

Part 18 - Common seal

18.1 Custody of the common seal

The CEO is to have charge of the common seal of the EMRC, and is responsible for the safe custody and proper use of it.

18.2 Use of the common seal

The use of the common seal is dealt with in the Act.

18.3 Recording of common seal uses

The CEO is to record in a register each instance where the common seal of the EMRC was affixed to a document including -

- (a) the date on which it was affixed;
- (b) the nature of the document; and
- (c) where the document is an agreement, the parties to that agreement.

This local law was made by the EMRC at an Ordinary Meeting held on.

5.3 MEETING DATES FOR 2023 – ELECTION YEAR

D2022/15119

PURPOSE OF REPORT

The purpose of this report is for Council to consider and adopt the dates for the Eastern Metropolitan Regional Council (EMRC) Ordinary Council and Committee meetings for 2023.

KEY POINT(S)

- Section 5.25(1)(g) of the *Local Government Act 1995* and r.12 of the *Local Government (Administration) Regulations 1996* requires that at least once each year local public notice is to be given of all Ordinary Council meetings and Committee meeting dates, times and places that are to be open to the public and are to be held in the next twelve (12) months.
- Proposed dates for the EMRC's Ordinary Council, Agenda Briefing Sessions, Information Sessions, Audit Committee, Legal Committee and Chief Executive Officer Performance Review Committee for the 2023 calendar year are as detailed within this report.
- Chief Executive Officer Performance Review Committee and Legal Committee meeting dates will be arranged and convened as required.
- Following the Western Australian Local Government elections to be held the third Saturday in October 2023, member Councils will be appointing their representatives to the EMRC Council.
- A Special Meeting of Council is proposed to be held on Thursday 2 November 2023 to elect the Chairperson and Deputy Chairperson and appoint members to the various EMRC Committees.
- Immediately prior to the Special Council meeting, councillors will make their declarations in accordance with section 2.29 of the *Local Government Act 1995*.

RECOMMENDATION(S)

That:

1. Council adopts the Ordinary Council meeting and Committee meeting dates, times and places for 2023 as outlined in the report.
2. Council, in accordance with s.5.4 of the *Local Government Act 1995* approves a Special Meeting of Council to be held on Thursday 2 November 2023 at 5:00pm for the purpose of electing a Chairperson and Deputy Chairperson, and to appoint members and deputy members to Committees.
3. Notice be given in accordance with r.12 of the *Local Government (Administration) Regulations 1996*.

SOURCE OF REPORT

Chief Financial Officer

BACKGROUND

- 1 The EMRC develops a meeting calendar each year and when selecting suitable dates ensures that, where possible, there are no clashes with member Councils' meetings.

REPORT

Council's Governance Framework

- 2 Council historically sets a number of fixed meeting dates a year with the remaining meetings scheduled as "if required".
- 3 Following the decision by Council at its 22 October 2020 meeting, Council has two remaining Committees to assist in its decision-making. The role of the Committees is to consider matters within their terms of reference and provide advice to the Council. The Legal Committee was established subsequently in February 2021.
- 4 The Ordinary Meeting of Council will be held on the fourth Thursday as required.
- 5 The Agenda Briefing Forums and the Information Sessions will be held on the second Thursday as required.
- 6 The Audit Committee meetings are to be held on the first Thursday as required except for November 2023 due to the nomination of the members to the Audit Committee at the Special Council Meeting held on the first Thursday in November following the Local Government elections.
- 7 The Chief Executive Officer Performance Review Committee and Legal Committee meeting dates will be arranged and convened as required.

2023 Meeting Schedule

- 8 The schedule below sets out the proposed meeting dates for the 2023 calendar year. January is a recess period when EMRC Council and Committee meetings are not held. December is also a recess period due to the Christmas festive season. Meeting dates are therefore set for February through to November. Per s.5.3(2) of the *Local Government Act 1995*, Ordinary meetings are to be held not more than three months apart. Consequently, the February meeting is a required meeting.
- 9 The March meeting will be required for the Half Year Review and the Annual Compliance Order Return, while the June meeting is required to consider the Annual Budget.
- 10 As with prior years, the proposed meeting dates have taken into consideration the normal meeting calendar of member Councils.

Ordinary Council Meetings commencing at 6:00pm:

11 Ordinary Council meetings will be held on the fourth Thursday of each month for February to November, except for October due to the Local Government elections.

Thursday	23 February		at	EMRC Administration Office
Thursday	23 March		at	EMRC Administration Office
Thursday	27 April	(if required)	at	EMRC Administration Office
Thursday	25 May	(if required)	at	EMRC Administration Office
Thursday	22 June		at	EMRC Administration Office
Thursday	27 July	(if required)	at	EMRC Administration Office
Thursday	24 August	(if required)	at	EMRC Administration Office
Thursday	28 September	(if required)	at	EMRC Administration Office
Thursday	23 November	(if required)	at	EMRC Administration Office

Special Council Meetings commencing at 5:00pm

12 The Western Australian Local Government elections will be held on the third Saturday in October. Following the elections, the EMRC member Councils will be appointing their representatives to the EMRC Council at their respective first meeting of Council. To ensure sufficient time is given to member Councils to appoint their representatives following the local government elections, a Special Meeting of Council is proposed to be convened on Thursday, 2 November 2023, commencing at 5:00pm at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104.

13 The purpose of the meeting is for the:

- Election of the Chairperson of the EMRC;
- Election of the Deputy Chairperson of the EMRC;
- Appointment of Members to the Chief Executive Officer Performance Review Committee (CEOPRC);
- Appointment of Members to the Audit Committee (AC);
- Appointment of Members to the Legal Committee (LC); and
- Appointment of a Delegate and Deputy Delegate to the Municipal Waste Advisory Committee (MWAC).

14 An agenda will be distributed to all newly elected EMRC Councillors, Deputy Councillors and member Council CEOs on Monday, 30 October 2023.

Thursday	2 November		at	EMRC Administration Office
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15 Immediately prior to the Special Council meeting, councillors will make their declarations in accordance with section 2.29 of the *Local Government Act 1995*.

Agenda Briefing Forums commencing at 6:00pm:

16 The Agenda Briefing Forums will be held on the second Thursday of each month for February to November, [except for October].

Thursday	9 February		at	EMRC Administration Office
Thursday	9 March		at	EMRC Administration Office
Thursday	13 April	(if required)	at	EMRC Administration Office
Thursday	11 May	(if required)	at	EMRC Administration Office
Thursday	8 June		at	EMRC Administration Office
Thursday	13 July	(if required)	at	EMRC Administration Office
Thursday	10 August	(if required)	at	EMRC Administration Office
Thursday	14 September	(if required)	at	EMRC Administration Office
Thursday	12 October	(if required)	at	EMRC Administration Office
Thursday	9 November	(if required)	at	EMRC Administration Office

Information Sessions commencing following the Agenda Briefing Forums:

17 The Information Sessions will be held on the second Thursday of each month for February to November, [except for October].

Thursday	9 February		at	EMRC Administration Office
Thursday	9 March		at	EMRC Administration Office
Thursday	13 April	(if required)	at	EMRC Administration Office
Thursday	11 May	(if required)	at	EMRC Administration Office
Thursday	8 June		at	EMRC Administration Office
Thursday	13 July	(if required)	at	EMRC Administration Office
Thursday	10 August	(if required)	at	EMRC Administration Office
Thursday	14 September	(if required)	at	EMRC Administration Office
Thursday	9 November	(if required)	at	EMRC Administration Office

Audit Committee (AC) meetings commencing at 6:00pm:

18 AC meetings are generally held on the first Thursday of each month from March to November. The March meeting will be required for the Half Year Review and the Annual Compliance Audit Return, while the June meeting is required to consider the Annual Budget, [except for November, commencing at 5.00pm].

Thursday	2 March		at	EMRC Administration Office
Thursday	6 April	(if required)	at	EMRC Administration Office
Thursday	4 May	(if required)	at	EMRC Administration Office
Thursday	1 June		at	EMRC Administration Office
Thursday	6 July	(if required)	at	EMRC Administration Office
Thursday	3 August	(if required)	at	EMRC Administration Office
Thursday	7 September	(if required)	at	EMRC Administration Office
Thursday	5 October	(if required)	at	EMRC Administration Office
Thursday	9 November*	(if required)	at	EMRC Administration Office

*starting at 5:00pm

Chief Executive Officer Performance Review Committee (CEOPRC) commencing following the Council Meeting

19 The CEOPRC and Legal Committee will be arranged and convened as required.

STRATEGIC/POLICY IMPLICATIONS

20 Section 5.25(1)(g) of the *Local Government Act 1995* and r.12 of the *Local Government (Administration) Regulations 1996* requires that at least once each year local public notice is to be given of all Ordinary Council meetings and Committee meeting dates, times and places that are to be open to the public and are to be held in the next twelve (12) months.

FINANCIAL IMPLICATIONS

21 The costs of running the meetings have been included in the adopted budget.

SUSTAINABILITY IMPLICATIONS

22 Nil

RISK MANAGEMENT

Risk – Non Compliance with the EMRC’s responsibility to maintain responsible and accountable governance and management of the organization.

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
➤ Council to adopt the proposed 2023 meeting dates and advertising of the 2023 meeting dates.		



MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

EMRC 2023 Meeting Dates Calendar (D2022/14949)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That:

1. Council adopts the Ordinary Council meeting and Committee meeting dates, times and places for 2023 as outlined in the report.
2. Council, in accordance with s. 5.4 of the *Local Government Act 1995* approves a Special Meeting of Council to be held on Thursday 4 November 2021 at 5:00pm for the purpose of electing a Chairperson and Deputy Chairperson, and to appoint members and deputy members to Committees.
3. Notice be given in accordance with r.12 of the *Local Government (Administration) Regulations 1996*.

COUNCIL RESOLUTION(S)

MOVED

SECONDED



EMRC MEETING DATES 2023

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					


August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		


September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30


October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				


November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						


 Council Meeting

 Audit Committee Meeting

 Agenda Briefing Forums and Information Sessions

 Special Council Meeting

 Audit Committee and Agenda Briefing Forum

 Local Government Elections

 WA Public Holidays

All meetings are held at 226 Great Eastern Highway, Ascot unless otherwise notified.

WA Public Holidays 2023
 Mon 2 Jan New Year's Day Holiday
 Thur 26 Jan Australia Day
 Mon 6 Mar Labour Day (WA)
 Fri 7 Apr Good Friday
 Mon 10 Apr Easter Monday
 Tue 25 Apr ANZAC Day
 Mon 5 Jun WA Day
 Mon 25 Sep King's Birthday (WA)
 Mon 25 Dec Christmas Day
 Tues 26 Dec Boxing Day

5.4 INFORMATION BULLETIN – CIRCULAR ECONOMY REGIONAL HORIZON SCAN 2022

D2022/17454

PURPOSE OF REPORT

The purpose of this report is to present to Council the final draft of the EMRC's Circular Economy Regional Horizon Scan 2022 for Council's information.

KEY POINT(S)

- The Circular Economy Regional Horizon Scan will be shared with member Councils
- The Horizon Scan will assist the EMRC to advance circularity

RECOMMENDATION(S)

That Council notes the Circular Economy Regional Horizon Scan 2022.

SOURCE OF REPORT

Chief Sustainability Officer

BACKGROUND

The Eastern Metropolitan Regional Council (EMRC), in partnership with consultancy group GHD, recently completed a 'Scan of the Circular Economy Horizon in WA' to gain a clearer picture of where we are at in WA, and in Perth's Eastern Region, and what we need to do in industry, business, and government to catalyse the adoption of circularity.

The Circular Economy Regional Horizon Scan will assist the EMRC to plan, promote and advance circularity in Perth's Eastern Region and across wider WA. The Scan will act as a guiding document to reduce environmental impacts, drive circular economy-based initiatives, future proof the business for market changes and increase awareness of the Circular Economy.

REPORT

The Horizon Scan will support the EMRC to make circular economy focused strategic and operational decisions based on economic, regulatory and policy trends including working toward achieving net zero and continuing diversion from landfill, as well as waste market forecasts and shifting circular economy drivers.

Circularity is the key to achieving New Zero and this Horizon Scan will help us understand our current position, regionally, and where we need to head in order to achieve our target of 'below zero carbon emissions by 2040'. This will be made possible through industry wide collaboration, cross industry mapping bases on needs assessment, ecological symbiosis and co-location, and creating industry and materials focused roadmaps to enable a circular economy, regionally and wider.

It will also help to determine the facilitation role the EMRC may play in supporting a broader transition to a circular economy within WA. This includes creating a local vision, building a case for change through collaboration, promoting greater education and awareness campaigns and enabling a connected ecosystem, the required infrastructure and a transition to a circular economy, which in turn will lead to Net Zero and eco-resilience through a balance of natural capital, produced capital and human capital.

The EMRC continues to lead the journey towards decarbonisation and Net Zero, through excellent work with its newly adopted EMRC's Sustainability Strategy which was developed in collaboration with our member councils, and now with this Eastern Region Circular Economy Horizon Scan.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.3 To provide resource recovery and recycling solutions in partnership with member Councils
- 1.5 To contribute towards improved regional air, water and land quality and regional biodiversity conservation and address climate change

Key Result Area 3 – Good Governance

- 3.1 To provide advice and advocacy on issues affecting Perth’s Eastern Region
- 3.2 To manage partnerships and relationships with stakeholders

FINANCIAL IMPLICATIONS

The funding to facilitate projects is developed and agreed with member Councils as part of the annual budget process.

SUSTAINABILITY IMPLICATIONS

The Sustainability Team operates to pursue environmental, social and governance (ESG) outcomes for Perth’s Eastern Region.

RISK MANAGEMENT

Risk – The Sustainability Team delivers initiative to advance the region		
Consequence	Likelihood	Rating
Possible	Insignificant	Low
Action/Strategy		
➤ The Sustainability Team considers risk pertaining to all projects or programs and continues to deliver on agreed actions		

MEMBER COUNCIL IMPLICATIONS

Member Council

- Town of Bassendean
- City of Bayswater
- City of Kalamunda
- Shire of Mundaring
- City of Swan

Implication Details

The Horizon Scan is available for member Councils’ information and reference

ATTACHMENT(S)

Circular Economy Regional Horizon Scan 2022 (D2022/17589)



Report

REGIONAL CIRCULAR ECONOMY HORIZON SCAN

Eastern Metropolitan Regional Council | September 2022



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S4	0	A.Duguid	H.Adkins		N.Houldsworth		

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→ The Power of Commitment

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Table 1.1 *Summary of abbreviations*

Abbreviation	Definition
AUD	Australian dollar
EMRC	Eastern Metropolitan Regional Council
GHD	GHD Pty Ltd
GHG	Greenhouse gasses
GSP	Gross State Product
OPEX	Operational expenditure
TBC	To be confirmed
USD	United States dollar
WA	Western Australia

1. Message from the CEO

The Eastern Metropolitan Regional Council (EMRC), in partnership with consultancy group GHD, recently completed a 'Scan of the Circular Economy Horizon in WA' to gain a clearer picture of where we are at in WA, and in Perth's Eastern Region, and what we need to do in industry, business, and government to catalyse the adoption of circularity.

The Horizon Scan will support the EMRC to make circular economy focused strategic and operational decisions based on economic, regulatory and policy trends including working toward achieving net zero and continuing diversion from landfill, as well as waste market forecasts and shifting circular economy drivers.

It will also help to determine the facilitation role the EMRC may play in supporting a broader transition to a circular economy within WA. This includes creating a local vision, building a case for change through collaboration, promoting greater education and awareness campaigns and enabling a connected ecosystem, the required infrastructure and a transition to a circular economy, which in turn will lead to Net Zero and eco-resilience through a balance of natural capital, produced capital and human capital.

We all need to work together to move from a linear – 'take-make-use-dispose' consumption type approach to a circular approach where the value of resources is captured and retained in circulation for continued use, for as long as possible. The world's resources and natural systems are coming under increasing pressure from growing urban populations, growing consumption, and demand for resources, making it really important for us to get the balance right in terms of small, medium and global solutions and to communicate to businesses, industry, governments and the community that circularity can start, in fact needs to start small, but to think big.

The Circular Economy Horizon Scan will assist the EMRC to plan, promote and advance circularity in Perth's Eastern Region and across wider WA. The Scan will act as a guiding document to reduce environmental impacts, drive circular economy-based initiatives, future proof the business for market changes and increase awareness of the Circular Economy benefits.

The EMRC continues to lead the journey towards decarbonisation and Net Zero, through excellent work with its newly adopted EMRC's Sustainability Strategy which was developed in collaboration with our member councils, and now with this Eastern Region Circular Economy Horizon Scan.

Circularity is the key to achieving Net Zero and this Horizon Scan will help us understand our current position, regionally, and where we need to head in order to achieve our target of 'below zero carbon emissions by 2040'. This will be made possible through industry wide collaboration, cross industry mapping bases on needs assessment, ecological symbiosis and co-location, and creating industry and materials focused roadmaps to enable a circular economy, regionally and wider.

I am pleased to be able to share this important Horizon Scan and trust that together we can take the journey towards Net Zero and circularity through innovation and collaboration.

Marcus Geisler

EMRC CEO

2. Purpose of this scan

The Eastern Metropolitan Regional Council (EMRC) has recently undertaken an in-depth strategic review of their organisation and operations. This assessment included a preliminary assessment of the circular economy landscape. Through the review process, the EMRC has continued to explore the circular economy opportunity to understand how this new focus can deliver tangible benefits to their five member councils, communities, and the wider region.

There are numerous opportunities and benefits associated with accelerating the development of the regions circular economy including achieving Western Australian Government national targets of net zero carbon emissions by 2050, Waste Avoidance and Resource Recovery Strategy targets and economic growth targets.

Through an analysis of key data sources, a national, state, and regional macroeconomic assessment will show the largest influencing industries in terms of revenue generation. The data evaluated will also highlight industries that have high greenhouse gas emissions and/or difficult to abate waste generation. Each of these factors will be considered in terms of future markets, job creation and investment opportunities to help drive the shift to a circular economy. This could include investing in

new technologies to create more economic opportunities in response to future changes in waste generation, providing leadership in driving industry collaboration and establishing a baseline of data for innovative circular economy solutions.

This horizon scan will allow the EMRC to make circular economy focused strategic and operational decisions based on economic, regulatory and policy trends (i.e. net zero and diversion for landfill) as well as regional waste market forecast and shifting circular economy drivers. It will also help to determine the facilitation role that the EMRC may play in supporting a broader transition to a circular economy within Western Australia.

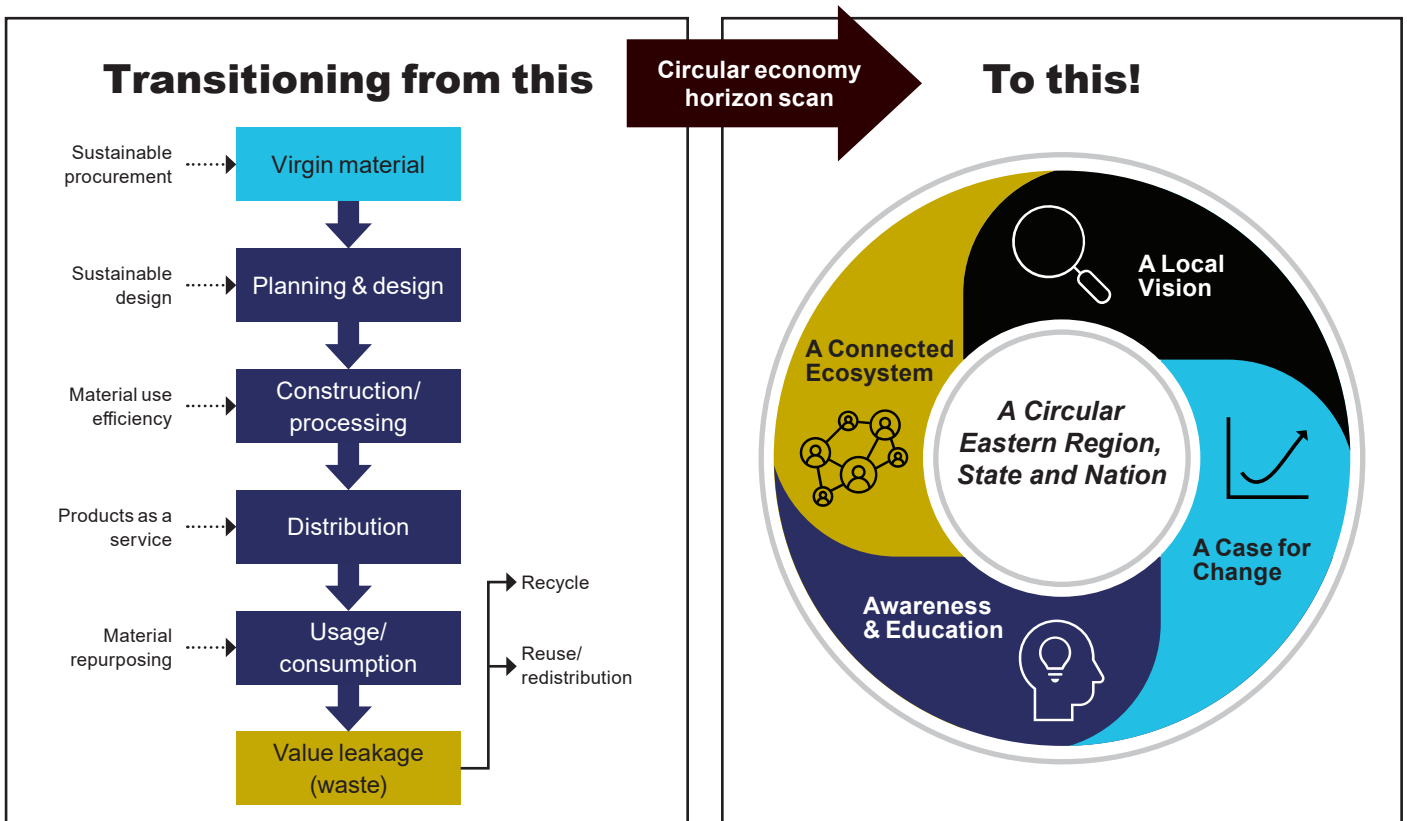


Figure 2.1 Purpose of this horizon scan - to support the transition to a circular economy

2.1 Disclaimers

This report: has been prepared by GHD for Eastern Metropolitan Regional Council and may only be used and relied on by Eastern Metropolitan Regional Council for the purpose agreed between GHD and Eastern Metropolitan Regional Council.

GHD otherwise disclaims responsibility to any person other than Eastern Metropolitan Regional Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

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3. The Circular Opportunity

3.1 Principles of a Circular Economy

The world’s resources and natural systems are under increasing pressure from growing urban population, consumption and demand for resources, making the sustainable use of resources more critical by the day. Each year over 90 billion tonnes of primary materials are extracted globally with only nine per cent of these raw materials being reused after their first use.¹

Traditionally Australia has followed a linear economy model where materials follow a simple process of *take – make – use – dispose*. The circular economy is about retaining the value of resources within a system such as an individual asset, an organisation, a supply chain, or a geographical region. The circular economy aims to change the way we plan, design and operate, removing waste before it exists, recognising the value of resources and retaining them in our economy, and creating a net environmental and social benefit from our economic activity.

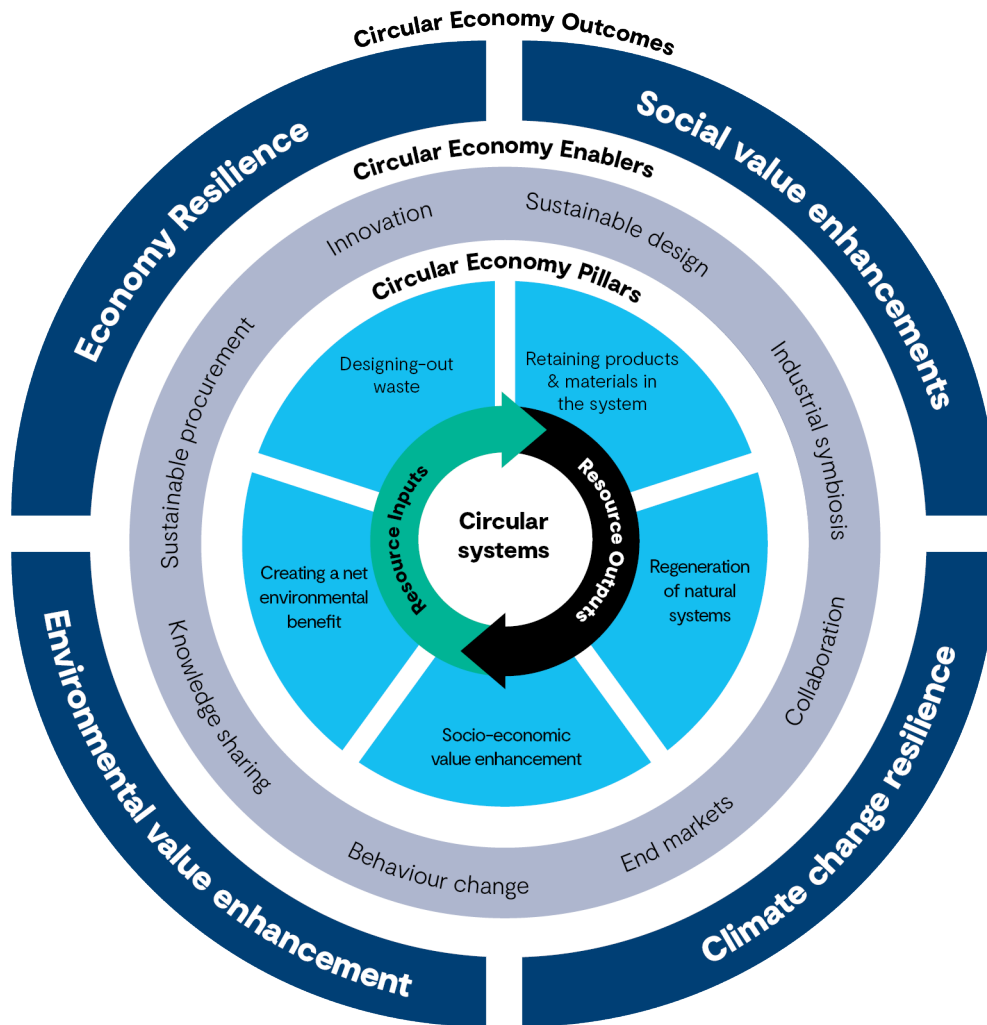


Figure 3.1 Circular economy model at a glance

¹ Circularity Gap Reporting Initiative, 2020

The aim of a circular economy shift away from a linear model of consumption to one in which value is captured and retained for continued use. A circular economy balances the ecological, social and economic needs of the present with the needs of the future by considering the following key principles of circular economy:

- Eliminating and designing out waste: targets the design phase of a material to eliminate waste generation before operation occurs. This encourages a design philosophy of reducing the dependency of sourcing virgin materials during operation but instead, looking for alternative options.
- Retaining products and materials in the system at their highest value: This principle encourages businesses to seek ways of retaining products and materials within their system and reduce the need to send waste to landfill. This can also be enabled influenced by extending the responsibility of a producer by providing goods as a service rather than product
- Creating a new environmental benefit & regeneration of natural systems: A truly circular economy aims to go beyond minimising the impact of industrial processes and seek to enhance the natural environment. This benefit and regeneration of the natural systems are achieved through healthier soils, unpolluted air and water, and increased biodiversity.
- Socio-economic value enhancement: A circular economy can provide benefits to multiple socio-economic areas including:
 - Business benefits: new business opportunities, cost-savings, increased supply chain resilience, simplified supply chains and improved corporate brand.
 - Benefits to Government: improved ecological service values, reduced human health risks, increased self-sufficiency and reduced climate change liability.
 - Community benefits: increased job opportunities, reduced health risk, lower household costs, job security, more disposal income

By adapting to circular economy principles, there will be a net benefit to the global ecosystem which will drive the change required to tackle climate change, decrease biodiversity loss and reduce net environmental impact.

3.2 Measuring Circularity

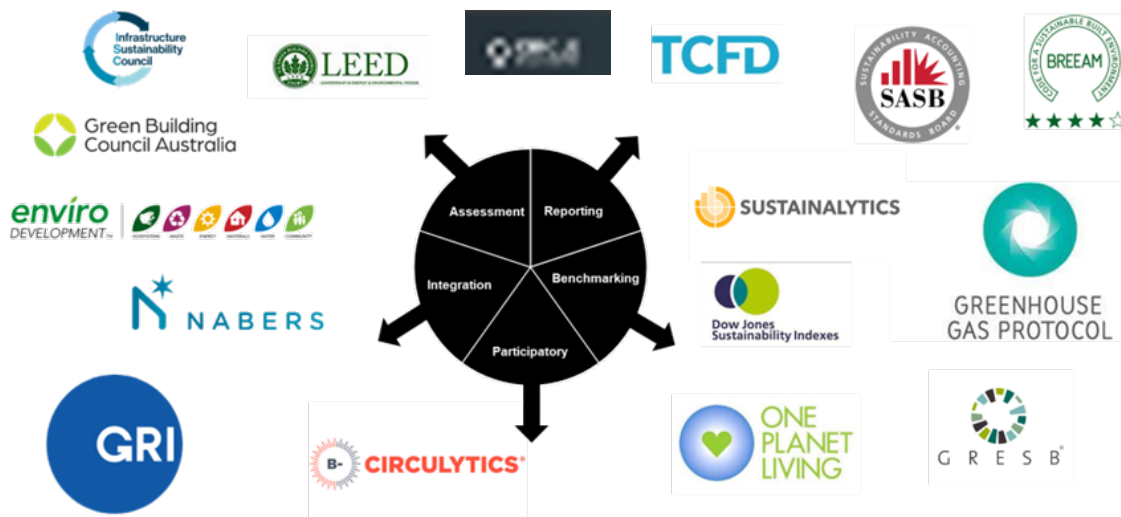
The measurement of the circular economy and its benefits is still developing across the world. The limited availability of tools for measuring circularity reflects both the complexity of measuring systemic change and the lack of available meaningful data. Additionally, each individual, organisation or government measuring circularity will require a different approach based on their overall objectives and the intended audience.

Currently, most jurisdictions have a waste generation centred measurement approach with the focus being on tonnes of municipal solid waste, construction/ demolition waste and hazardous waste. There is a range of different data sets available however they are not consistent across all businesses, sectors or jurisdictions which limits the ability to quantify impact.

Current data sets focus on volumes of waste to landfill, percentage recycled and specifically designed disposal facilities (i.e. class V materials) than an assessment of higher order R strategies, broader economic or environmental benefits. While data for extraction, processing, import and export of materials exists, environmental, societal impacts and financial exchange across sectors there remain unaccounted for. This includes data gaps across the supply chain, scales and jurisdictions.

Measurement of capacity for reuse and the cyclical potential of products/ materials is a key area for improvement. New datasets should be supplemented and supported by rates of reduction in other areas – for example: the reliance for virgin materials and finite resources.

At the organisational level, a range of circular economy measurements tools have emerged including:



A unified measurement tool will enable useful data collection, identification of key indicators, efficient analysis and productive sharing of information across industries. Currently, there is not a single well-established measurement tool that allows a true understanding of what circularity means and provide context for smart decision making. This limits current decision making and its subsequent impact on desired goals.

Any unified measurement tool will need to ensure that results can be used broadly to encourage faster change across industries and provide value to business and government. The seven considerations that should be made when developing a framework for measuring circularity at the company level are²:

1. Driving circular business performance
2. Targeting specific audiences pending on company objectives
3. Covering a comprehensive sustainability scope
4. Ensuring flexibility and inclusion
5. Adapting a phased approach
6. Building upon the framework and standards
7. Driving cultural change and provide guidance

3.3 Key Global and National Players

While the circular economy paradigm is developing rapidly, it is not a new, and is based on a collection of concepts including biomimicry, industrial ecology and cradle to cradle thinking. Recognised as a global leader, Dame Ellen Macarthur has elevated the paradigm to where it is now, a recognized part of mainstream discourse. Through global leadership and collaboration, the Ellen Macarthur Foundation (EMF) works with strategic partners to promote and facilitate the global transition to a circular economy.

According to the World Economic Forum³, a transition to a circular economy has potential material cost savings greater than USD \$1 trillion and global economic benefits could reach USD \$4.5. Trillion. The European Commission adopted the new circular economy action plan (CEAP) in March 2020. It is one of the main building blocks of the European Green Deal, designed to achieve carbon neutrality, halt biodiversity loss and ensure Europe stays competitive in the marketplace. The World Bank and OECD have also recognised the circular economy as a key vehicle to facilitate more efficient use of resources, and more sustainable consumption and production patterns as well as developing regenerative, resilient projects and initiatives to facilitate solutions that reduce poverty and build prosperity in developing countries.⁴

² <https://www.wbcsd.org/Programs/Circular-Economy/Metrics-Measurement/Resources/Landscape-analysis>

³ <https://www.weforum.org/communities/circular-economy-and-value-chains>

⁴ *Circular Economy: An Opportunity to Transform Urban Water Services* (worldbank.org)

The adoption of the Circular Economy Promotion Law in 2008⁵ marked China as a frontrunner in circular economy policy and was proposed as a new model to help China make better use of resources and energy. Many European countries including Finland, Netherlands, France, Slovenia and others are committing to circular roadmaps noting the economic advantage in such a transition. The benefits of a circular economy to Australia have been reported on by KPMG⁶ highlighting a potential GDP uplift of \$210 billion and the creation of 17,000 new jobs by 2048. PWC⁷ have stated that a reduction of 165m tonnes of CO₂ emissions could be achieved by a circular transition.

As a result of the national waste reduction targets to reduce waste to landfill by 80% by 2030 and the ban on waste exports, the CSIRO was tasked with developing a National Circular Economy Roadmap which highlighted the potential to triple job creation from resource recovery in Australia, where the recycling sector currently generates 9.2 jobs per 10,000 tonnes of waste, compared with only

2.8 jobs for the same amount of waste sent to landfill. In addition, increasing Australia's recovery rate by just 5 per cent would add an estimated \$1 billion to GDP. The Australian Government has also provided \$1.6M in funding to Planet Ark to establish the Australian Circular Economy hub to facilitate collaboration and knowledge sharing.

State based initiatives including NSW Circular, funded by the NSW Government, Recycling Victoria, establishing the Circular Economy Business Innovation Centre (CEBIC) and the South Australian Government's Green Industries SA have all identified the value within a circular economy. Recent years has seen the development of a range of not-for-profit groups evolving across each state to assist in local knowledge sharing, network creation and education.

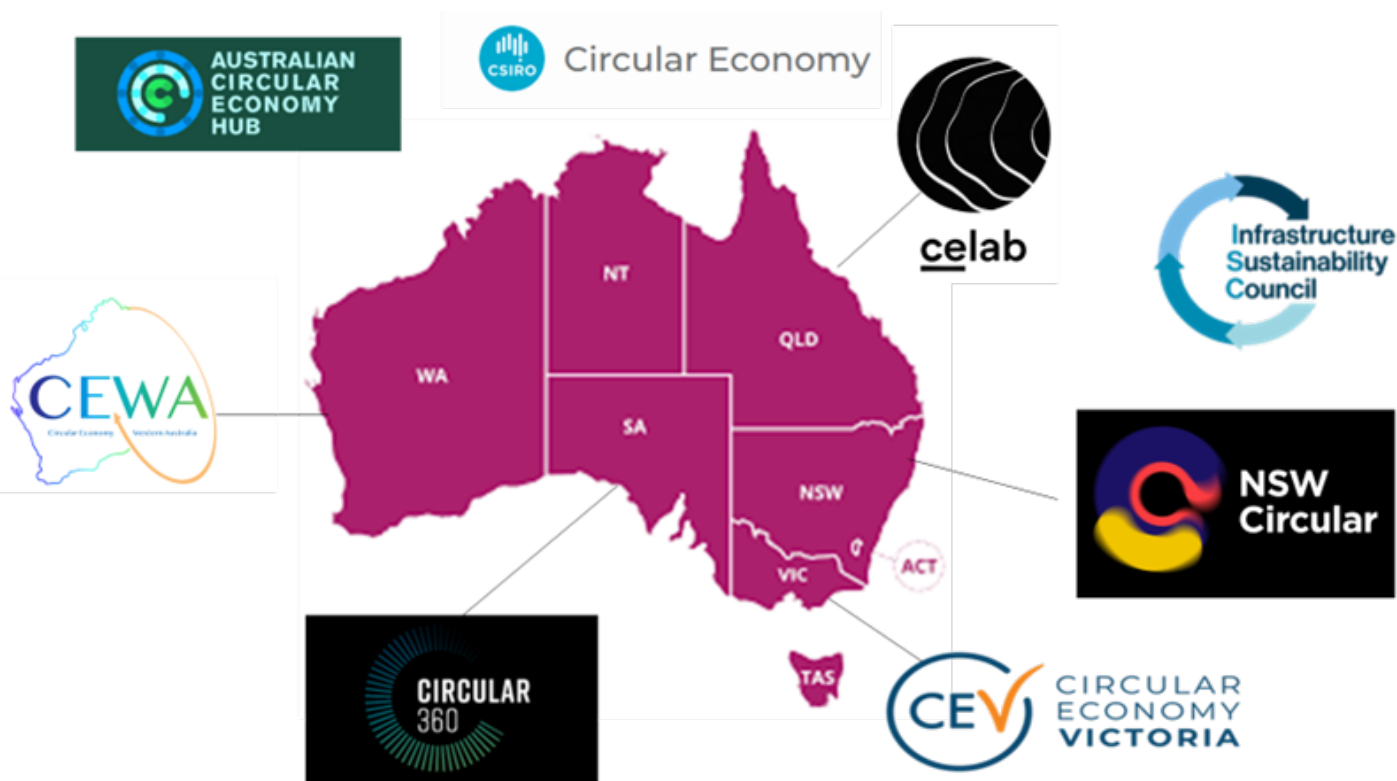


Figure 3.2 The shift towards a circular economy in Australia

⁵ Circular Economy Promotion Law of the People's Republic of China, Congressional – Executive Commission on China Circular Economy Promotion Law of the People's Republic of China (Chinese and English Text) | Congressional-Executive Commission on China (cecc.gov)

⁶ Potential Economic Payoff of a circular economy, 2020

⁷ Building a more circular Australia, 2021

3.4 The Circular Economy and Greenhouse Gas Emissions

The world is currently focused on decarbonisation with clear directives from the IPCC reporting and 2022 United Nations Climate Change summit pushing the setting of net zero targets for 2050. However, the transition to a Net Zero could stall if there isn't a shift from our current relationship with the extraction of non-renewable resources.

Decoupling our economic prosperity from the extraction of virgin materials is a key premise of the circular economy. According to the EMF, almost half of the total reductions in greenhouse gas (GHG) emissions needed to limit global warming to 1.5°C above pre-industrial levels will have to be achieved by adopting a circular economy. In Western Australia, the highest contributor to GHG emissions is the energy sector with over 84,000 mega tonnes of CO2eq emissions in 2020. This estimate does not account for the embodied carbon associated with product use as shown in Figure 2.3.

In addition the global finance sector is seeing major shifts in investment in solution providers responding to the major challenges facing society. According to research from Opimas and the Global Sustainable Investment Alliance, 'Green' investment increased by over USD 17 Trillion in 2020. Deutsche Bank estimates that 95% of assets under management, or USD 130 trillion, will be governed by an ESG mandate by 2030. The circular economy can help to translate climate ambition into action.

Another key factor to note is that currently in Western Australia Greenhouse Gas Emissions the WA Environmental Protection Authority will require proponents

to develop a Greenhouse Gas Management Plan as part of the proposal assessment process that demonstrates their contribution towards the aspiration of net zero emissions by 2050. New proposal assessments predominately only include large developments with anticipated scope 1 emission levels over 100,000t of CO2 equivalent however suppliers to these large industries or projects may well be required to report on emissions in the future as part of the wider supply chain supplying these projects. There is also a move to report on scope 2 & 3 emissions which will significantly impact the reporting required across supply chains.

The EMRC have been working closely with industry to help track and abate the regions greenhouse gas emissions. The re-energising Perth's Eastern Region⁹ project has undertaken numerous audits focusing on lighting, pool maintenance and air-conditioning in Bassendean, Bayswater and Mundaring. Through energy efficiency initiatives such as improved technologies, better circulation devices and building upgrades, these audits found energy consumption was reduced by over 40% across each of the trial facilities. One of the initiatives included replacing street lighting in Bassendean with LED's which increase the life of the lighting system when compared to previous alternatives, reducing the impact of embodied carbon from regular replacement and increased energy efficiency. Reducing embodied carbon emissions through elongating the life of materials is a key principle of a circular economy.

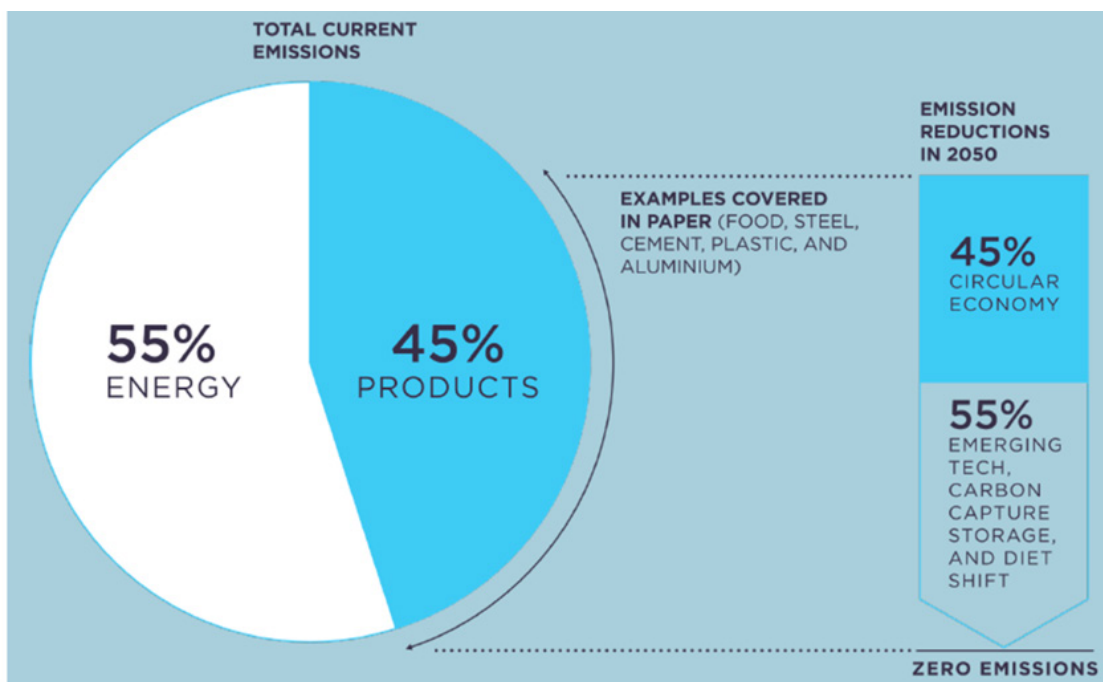


Figure 3.3 Embodied carbon contribution on the global emissions profile⁸

⁸ Ellen McCarthy Foundation

⁹ <https://www.emrc.org.au/sustainability/environmental-services/environmental-projects/re-energising-perth-s-eastern-region.aspx>

3.5 Circular Economy and economic growth

3.5.1 Global

Global events such as the COVID-19 pandemic, the Russian invasion of the Ukraine and the economic downturn has led to a significant impact on supply chains. These are due to logistics barriers such as travel restrictions, reduced availability of fuel sources and under resourced service providers. The circular economy offers better more resilient economic growth whilst addressing the pressing global challenges that we face.

The desire for circular practices was highlighted during the COVID-19 pandemic where there was a growing appetite for local suppliers to reduce the impact of supply chain logistics. With business as usual becoming more stable in 2022, there has been a demand for solutions to reduce waste generation and to reduce the carbon footprint of carbon intense industries such as concrete manufacturing, aluminium smelting and mining extraction.

With Australia and Western Australia being heavily reliant on import and export opportunities for economic growth, global events such as the COVID-19 pandemic have a notable impact on supply chains. This also impacts the ability to enable sustainable circular economy initiatives such as closed-loop materials and product as a service initiatives.

3.5.2 State and National

The WA Government released a Diversify WA during 2019, a new economic development framework which focused on developing a robust economy through job creation and industry diversification. This document acknowledges that while the Mining sector is a key part of the WA economy, reliance on this sector over the past 30 years has left the state exposed to global fluctuations in commodity prices and placed a risk on local jobs whilst also limiting the support and development of other sectors¹⁰.

The National Circular Economy Roadmap¹¹ developed by CSIRO highlights that diversification and innovation within our manufacturing industries will drive significant economic gains. In addition, Australia's ban on the export of waste materials has created an opportunity for value creation from waste. Identifying circular opportunities across the whole supply chain can also avoid waste being created in the first place and instead focus on the value that products and materials have with continued use. With

a new focus on value, new technologies, services, and industries can emerge that generate long-term economic opportunity and job creation within our State.

In Western Australia, while Covid-19 may have been muted by comparison, supply chain issues, unemployment and pressure on businesses have highlighted a need to consolidate a diversified and resilient economy that also respond to global challenges.

For Western Australia, currently the value of natural resources is defined as unprocessed overseas exports, limiting the economic opportunity of controlling all stages of the supply chain including manufacturing. By maximising resource use and incorporating the principles of circularity during extraction, production and consumption, the circular economy can help boost and diversify our economic profile.

3.5.3 Regional

The key to the circular economy is diversifying and developing capacity across local supply chains offering closed-loop economic wins less impacted upon by global fluctuations. Creating a regionally focused circular system can help reduce waste and minimise resource inputs, thus eliminating the pressure on supply chains to maintain stability during unforeseen circumstances (like the pandemic). On top of creating a more resilient supply chain, circular systems are also a needed solution to help work towards a net-zero impact on the planet.

Circular economy participants can be divided into three categories of community, government and organisational (i.e. business, industry, commercial). Collaboration across these participants can be an effective solution to issues surrounding insufficient material volumes to make a circular solution economically viable. Co-ventures also provide financial capacity to address problematic materials and products whilst providing new regional job markets. Regional collaboration is enabled by community support and education programs where application of the 7 R's act as a simple way to support businesses to make more circular – less linear decisions.

¹⁰ <https://www.ipcc.ch/reports/>

¹¹ <https://www.un.org/en/climate-sdgs-conference-2022>

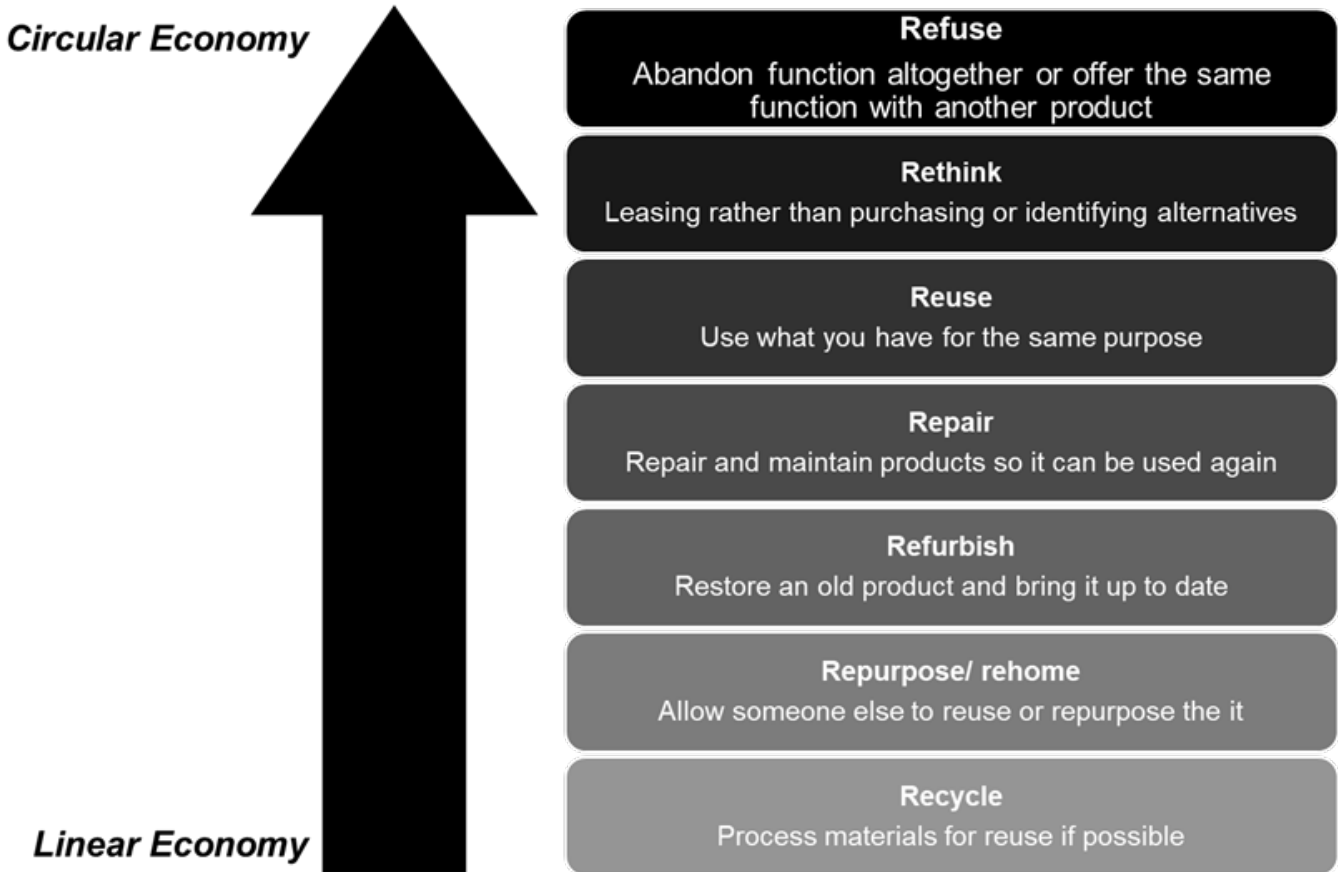


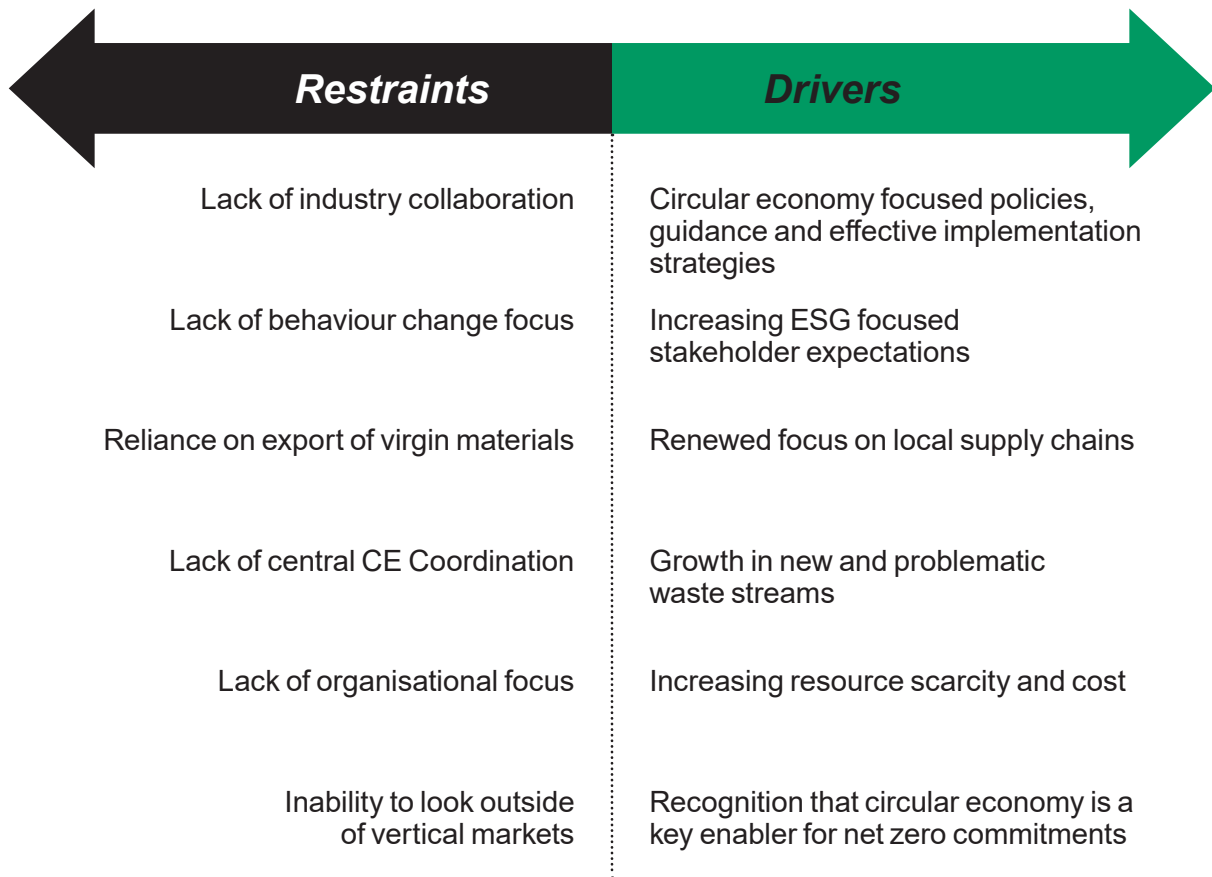
Figure 3.4 7 R's and associated opportunities for the transition to a circular economy

When establishing a circular economy at a regional level, it is important to create a balance between small, medium and global solutions. This is usually driven by the financial viability of aggregating specific materials or social complexity of the area providing alternative options. For example, refusing packaging materials may not be a viable alternative in smaller regional areas where established transport and logistics providers are available.



4. Circular economy drivers & restraints

The following sections discuss the key circular economy drivers & restraints including:



4.1 Key Circular Economy Market Drivers

4.1.1 Circular economy focused policies, guidance, and effective implementation strategies

Legislation and government policies have historically been the key driver for the circular economy change globally, creating the all-important 'fiscal-carrot and punitive-stick' to rapidly change behaviour. For example, when the European Union (EU) banned electronics from landfill with the Waste Electrical and Electronic Equipment (WEEE) Directive and subsequent Regulations, it created an immediate business opportunity for electronic equipment recycling businesses. This also led to a new business of

mining landfills to extract finite resources for reinjection into the manufacturing industry.

In 2015, Western Australia significantly increased its landfill levy from \$28 to \$55 a tonne for putrescible waste and \$8 to \$40 a tonne for inert waste. This was then increased in 2018 for both waste types to \$70 per tonne¹² which is between a 60-88% increase.

¹² <https://www.mediastatements.wa.gov.au/Pages/McGowan/2019/03/Waste-levy-capped-for-2019-20.aspx>

Furthermore, the release of the Waste Avoidance and Resource Recovery Strategy 2030 (WARR) in 2019 explicitly states the purpose of the Strategy being to introduce “significant transformations aimed at Western Australia (WA) becoming a circular economy”. The effect of the WARR strategy has quickly cascaded into strategic thinking in Western Australia with numerous largely private and public sector organisations developing circular economy focused strategy. Other key legislative drivers for circular economy change include:

National

- National decarbonisation targets – net zero by 2050
- National Environmental Economic Accounting (EEA) Strategy and Action Plan (2018)¹³
- Budget Strategy and Outlook (2022)¹⁴
- General Funding Strategy and Investment Plan 2021-2024 (2021)¹⁵
- Digital Economy Strategy 2030 (2021)¹⁶
- National Waste Policy Action Plan (2019)¹⁷
- Action Plan for Sustainable Procurement (2020)¹⁸
- Australian Government Waste and Recycling Reduction Bill (2020)¹⁹
- COAG Export Bans – Response strategy (2020)²⁰
- CSIRO National Circular Economy Roadmap for plastics, glass, paper, and tyres (2021)²¹
- National Plastics Plan (2021)²²
- National Soil Strategy Australia (2021)²³
- Australia’s Modern Manufacturing Strategy (2021)²⁴
- THRIVE 2030: Strategy Action Plan (2021)²⁵

Western Australia

- Diversify WA - Supply Chain Development Plan 2021-22 (2021)²⁶
- State Planning Strategy 2050 (2021)²⁷
- Net Zero Emission Mining (2022)²⁸
- Energy transformation strategy (2021)²⁹
- Western Australian Soil Health Strategy 2021 - 2031³⁰

¹³ <https://eea.environment.gov.au/about/national-strategy-and-action-plan>

¹⁴ https://budget.gov.au/2022-23/content/bp1/download/bp1_2022-23.pdf

¹⁵ <https://arena.gov.au/about/publications/funding-investment-plan/>

¹⁶ <https://digitaleconomy.pmc.gov.au/>

¹⁷ <https://www.environment.gov.au/protection/waste/publications/national-waste-policy-action-plan>

¹⁸ <https://www.environment.gov.au/protection/waste/publications/sustainable-procurement-guide-2020>

¹⁹ https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=r6573

²⁰ <https://www.coag.gov.au/sites/default/files/communique/phasing-out-waste-exports-response-strategy.pdf>

²¹ <https://www.csiro.au/en/research/natural-environment/circular-economy>

²² <https://www.environment.gov.au/system/files/resources/a327406c-79f5-47f1-b71b-7388407c35a0/files/national-plastics-plan-2021.pdf>

²³ <https://www.agriculture.gov.au/ag-farm-food/natural-resources/soils>

²⁴ <https://www.industry.gov.au/data-and-publications/make-it-happen-the-australian-governments-modern-manufacturing-strategy/our-modern-manufacturing-strategy>

²⁵ <https://www.austrade.gov.au/news/publications/thrive-2030-strategy>

²⁶ https://www.wa.gov.au/system/files/2021-10/2109-095_DWA-Supply%20Chain%20Development%20Plan-Web.pdf

²⁷ <https://www.wa.gov.au/government/publications/state-planning-strategy-2050>

²⁸ <https://www.mriwa.wa.gov.au/challenges/net-zero-emission-mining/>

²⁹ <https://www.wa.gov.au/organisation/energy-policy-wa/energy-transformation-strategy>

³⁰ <https://www.agric.wa.gov.au/wa-soil-health-strategy>

4.1.2 Increasing ESG focused stakeholder expectations

Momentum for change is driven by an increasing societal understanding of climate change risk and demand for action to decarbonise our society. Sustainability and circular economy principles are cascading down to national, State and local government policy.

Despite the Australian Government's slow response to climate risk, communities are mobilising, shareholder expectations are increasing, and young professionals are choosing employers whose company values and actions align with their personal sustainability values. These shifting dynamics are impacting corporate and government policy. Companies and organisations that are not actively reducing their waste and carbon emissions and minimising their impact on the environment and communities in which they operate, risk the 'real cost' of doing business increasing, as shareholders and investors demand tangible action and the 'social licence to operate' is put at risk.

This has been further highlighted by global investment decision making (such as BlackRock Fund) shifting away from companies that are not incorporating ESG targets and actions and toward those that have clear plans at board level and are contributing to the advancement of circular economy³¹. Additionally, Intesa Sanpaolo is an Italian international banking group that has set circular economy as a strategic priority with the bank stating "the risks of continuing to operate in a linear, extractive economic model are becoming more evident by the day"³²

4.1.3 Renewed focus on local supply chains

With global supply chains growing annually (excluding during the COVID 19 pandemic), the logistics surrounding reuse, repair, refurbishments, repurpose and recycling of materials is often not economically viable. In instances where specialised equipment has been designed in a specific area such as electronics in China, car manufacturing in the USA and processing equipment in Europe, the circular economy logistics around keeping a material within its original life cycle becomes increasingly more difficult. Global supply chains are complicated through differing governance structures, transport logistics (import and export) and fast evolving markets.

The COVID-19 pandemic and conflict in the Ukraine have highlighted the vulnerability of complex, global supply chains, which have an over-reliance on foreign-sourced goods, services and markets. Instead, we are witnessing a clear shift in focus towards a need to develop more resilient local supply options. This is a significant driver for the uptake of circular economy principles in Western

Australia, which, as a remote and geographically isolated society has much to gain from a circular approach.

Organisations such as the Global Distribution Alliance could be leveraged to provide a global transition to circular supply chains through their extensive logistics and transportation partnerships. With a mission to strengthen the global distribution network through comprehensive tracking and the integration of modern digital technologies. These existing systems could be leveraged to also track and provide transport services for end of life materials and reinjection into the cycle.

With its strong economy and geographic isolation, WA is well-placed to invest in local manufacturing, local employment creation and value retention. This has been highlighted as a key focus in the Diversify WA Economic Framework.³³

4.1.4 Growth in new and problematic material streams

In addition to regulatory driven shifts in the WA waste market, we can also expect to see changes to the WA waste dynamic from the rapidly evolving industrial landscape. This includes significant future waste streams from the renewable energy sector, with numerous gigawatt scale wind and solar farms being planned in response to the emerging hydrogen fuel demand. This will lead to an inevitable future disposal requirement for solar panels and wind turbines along with large- and small-scale lithium batteries.

With the success of the container deposit scheme (CDS) it is evident that consumer driven source separation is possible with the right incentive model. Although this stream is being collected at high recovery rates, Western Australia is currently limited by a lack of manufacturing facilities resulting in streams such as glass bottles being transported to South Australia.

Some of the other growth areas in waste generation including (but not exclusive to):

- Electronics and ICT from organisational digitisation
- Batteries and E-vehicles from electrification and decarbonisation of industry fleets
- End of life solar panels from domestic and industrial initiatives
- Food Organics Green Organics processing from source separation initiatives associated with the national and State waste strategies

³¹ <https://www.blackrock.com/americas-offshore/en/products/310165/blackrock-circular-economy>

³² <https://ellenmacarthurfoundation.org/financing-the-circular-economy-capturing-the-opportunity>

³³ <https://www.wa.gov.au/organisation/department-of-the-premier-and-cabinet/diversify-wa-economic-development-framework>

- Packaging, plastics and paper from source separation initiatives associated with the COAG ban
- Construction and building materials from an increase in state-wide infrastructure projects
- Tyre processing associated with the COAG ban
- Fly ash processing / value adding from waste to energy facilities

4.1.5 Increasing resource scarcity and cost

The world's resources and natural systems are under increasing pressure from growing urban population, consumption and demand for resources, making the sustainable use of resources more critical by the day. On current projections, the footprint of cities is predicted to grow 150% by 2030³⁴, global consumption of resources is expected to double in the next forty years³⁵ and annual waste generation is projected to increase 70% by 2050³⁶.

While the urgency to respond is primarily driven by the threat of climate change, we are also faced with the irrefutable fact that we are consuming finite resources at an alarming and unsustainable rate. Some examples of a resources of growing scarcity include rubber (impacting the motor vehicle & processing industry), potash (impacting food prices) and rare earth metals (impacting electronics and electrification technologies).

The cost of a resource is directly proportional to its relative abundance and availability. By identifying material production responsibilities across the complete supply chain, the identification of alternative, circular pathways can increase the resilience of an economic system.

4.1.6 Recognition that circular economy is a key enabler for net zero commitments

In November 2020, Western Australia formalised its emissions reduction target in the State Climate Policy, which included actions to transition to net zero emissions by 2050, this is cascading throughout Western Australia with every Government agency, department required to develop a plan to achieve net zero carbon by 2050. The private sector is also setting ambitious net zero targets in an effort to de-risk their business ensure future investment and respond to changing global expectations.

While the focus is currently strongly on the decarbonisation of our energy systems, the circular

discourse highlights that without a fundamental change in our reliance on the extraction of virgin materials to fuel our production and consumption patterns, we will not achieve our net-zero aspirations³⁷. Circular economy principles and tools have been identified as key enablers for net zero strategies globally as well as creating new opportunities for markets in Products as a Service, maintenance and remanufacture and recycling and logistics.

4.2 CE Market Restraints

4.2.1 Lack of industry collaboration

Complexity surrounding designing waste out of a system is often a difficult concept for organisations to understand. This is worsened by a lack of collaboration between customers and suppliers and overall collaboration to allow for sustainable solutions to be developed. The Australian market is currently limited to open loop reuse (i.e. road surfacing with construction material, glass, plastic and end of life tyres) and basic recycling.

Industries are now looking for more sustainable solutions however often this is limited by what is communicated by vendors, what is currently available in the market and current regulations. An example of upstream design creating significant waste generation is tyres. As tyre products have been developed over decades, the design has evolved to make the product as safe and physically hard as possible by high temperature treating the material to increase resilience. Although this provides a longer operational life, changing the natural chemical structure of the native material makes it difficult to re-inject back into the system. This has resulted in open-loop repurposing solutions such as road surfacing which is energy intensive and simply prolonging the materials end-of-life. This example highlights how a lack of industry collaboration has resulted in the creation of a product that is linear by nature, inhibiting the implementation of truly circular solutions.

Circular solutions require a collaborative approach and shared goals to leverage a long term closed loop solution. These solutions often require industry collaboration and innovation to succeed. An example of this collaboration can be seen in the outcomes of Circular Plastics Australia who have developed a local Australia based closed loop solution to PET packaging.³⁸

34 <https://www.un.org/en/observances/biological-diversity-day/convention>

35 <https://www.oecd.org/environment/raw-materials-use-to-double-by-2060-with-severe-environmental-consequences.htm#:~:text=22%2F10%2F2018%20-%20The%20world%E2%80%99s%20consumption%20of%20raw%20materials,seeing%20today%2C%20according%20to%20a%20new%20OECD%20report.>

36 <https://www.worldbank.org/en/news/press-release/2018/09/20/global-waste-to-grow-by-70-percent-by-2050-unless-urgent-action-is-taken-world-bank-report#:~:text=Global%20Waste%20to%20Grow%20by%2070%20Percent%20by,rapid%20urbanization%20and%20growing%20populations%2C%2C%20the%20report%20finds.>

37 Reference

38 <https://circularplasticsaustralia.com/>

A lack of industry collaboration can also be driven by hesitation surrounding shared intellectual property between competing organisations. This can be alleviated through government incentive programs and industry supported stewardship programs where information can be aggregated and de-identified. Shared services such as processing and manufacturing of recycled content can also be enabled by government incentive programs but are only successful with the appropriate industry support.

4.2.2 Reliance on export of virgin materials

The Australian and Western Australian economy are both significantly influenced by mining with a growth margin of 11.5% in 2021. Materials such as bauxite (aluminium ore), iron ore, lithium, gold, lead, uranium, zinc and rare earth metals are all currently being mined in Australia with varying market demand. With a global shift to sustainable decision making, high commodity materials such as rare earth minerals have resulted in a peak in mining. Due to the “electrification” of traditionally hydrocarbon rich operations, there has been an increased focus on mineral rich countries such as Australia.

As one of Australia’s more mature industries dating back to more simplistic extraction techniques such as gold panning during the goldrush, there is a strong economic reliance on extracting virgin materials for use across all industries. If Australia wants to shift to a circular economy this business model would need to be re-evaluated to acknowledge issues surrounding finite resources reaching end of life/ supply. A potential lever to enable better material tracking and decreasing reliance on the extraction of virgin materials are government incentive programs of levies. With an appropriate financial mechanism, tracking, recovery and leasing of extracted materials would be more appealing, catalysing circular economies.

According to the World Business Council for Sustainable Development (WBCSD), “the total demand for resources is expected to reach 130 billion tons by 2050,” an overuse of the Earth’s total capacity by more than 400%³⁹. This highlights a prevalent risk to the Australian economy with an over reliance on virgin material extraction and distribution.

4.2.3 Lack of behaviour change focus

Shifting away from a linear economy is riddled with challenges which are exemplified by a reliance on human behaviour change. The more simplistic model of take – make – dispose is the natural pathway with current systems and design practices focusing on the cheapest and most efficient solutions. For example, when single use

plastics were introduced, the purpose was to reduce the time required to safely package and store supplies such as food whilst reducing effort and cost.

Successful behaviour change can notionally be described as altering the actions of an individual, an organisation or a community, even when the target is agnostic to an emotional driver or a particular ideology. For instance, circular economy focussed behaviour should be exhibited by all, not just by people who are motivated to act by a passion for circular economy thinking.

While legislation and associated financial penalties (e.g. landfill levies) are critical behaviour change drivers, creating business opportunities for circular alternatives; behaviour change is accelerated when coupled with education and support programs, effectively penalising the linear behaviour but supporting community to minimise the risk of incurring this penalty.

With current designs, there is a heavy reliance on source separation to make the reuse, repair, refurbishments, repurpose and recycling of materials economically viable. As shown by the current 2 and 3 bin systems nationally, this is often a significant challenge due to lack of education, ease of application and misalignment between industries (i.e. confusing marketing). The key to addressing this issue is through smart education strategies and national/ preferably international standards for waste management. This will enable higher volumes of resource recovery and drive the perception of “waste” from being a problem to a valued commodity. A successful example of a behaviour change program that has been successful in Australia is the container deposit scheme where specific materials were given a value that both increased household source separation and encouraged investment in processing infrastructure of these materials.

By strengthening and streamlining circular education programs, a shift in behaviour change can be achieved. As exhibited by the national program War on Waste released in 2017. This well-known program highlighted the impacts of waste generation such as single use plastics which resulted in increased user alternatives and source separation. This was later supported by government initiatives such as the COAG ban of 2019, where plastics were identified alongside glass, tyres, paper and cardboard to enable a shift in specific material consumption.

³⁹ <https://www.wbcd.org/>

4.2.4 Lack of prioritisation and coordination

One of the key barriers to applying circular thinking across government and business is simply time and focus. Core tasks, services or products are often valued based purely on short-term/ immediate payback or job related KPI's. Opportunities are often not realised because it is simply not anybody's job to look for circular opportunities. In addition, hoping for circular outcomes from adapting inherently linear systems will only marginally improve circumstances. Systemic change invariably requires prioritisation and coordination to develop a set of shared goals and pathways to successful implementation.

Centralised coordination for circular economy leadership is essential to enable a connected WA circular economy. It is the key to leading practice, acting as the hub and driver for circular economy knowledge sharing across community, whilst fostering leading practice, innovation and thought leadership and providing the platform for cross industry collaboration and exchange.

Another key barrier is how rarely government and business look outside of the vertical markets and supply chains that organisations inhabit. The solution is more than likely going to be business-as-usual in another sector. It has been observed that bringing organisations together from different industries (often geographical neighbours) often leads to win-win synergies. Collaboration across sectors and with our geographical neighbours is key to circular solutions and is the premise for many successful industrial ecologies that are developing around the world.⁴⁰

4.2.5 Lack of Funding

Transitioning from a linear to a circular economic model will require substantial structural, technological, and behavioural change within society. To enable change and growth, in new circular economic business models, direct investment in minimising waste and pollution as well as supporting business to shift towards designing and manufacturing products and services that use and reuse resources efficiently and reduce the need for the constant injection of virgin materials will be required.

While the evolution of circular economy across other parts of Australia has seen funding contributions from both the Federal Government and some State governments, there is yet to be a consolidated approach to the transition to a circular economy in Western Australia.

At the National level we have seen the emergence of the Planet Ark Australian Circular Economy Hub, a foundation that is partially funded by the Australian Federal Government along with other partners. We have seen the State based NSW Circular (now Circular Australia), Circular Economy Victoria (CEV) and Circular 360 in South Australia develop standing relationships with State Government Agencies to ensure they can act as State circular economy hubs. Circular Economy WA⁴¹ has also launched however is yet to become a funded body which could limit the capacity for impact.

While there are some examples of sustainability programs being funded (for examples: Waste Sorted Grants: Waste Authority, Sustainable Business Fund), these funding sources are often tied to predetermined outcomes that do not include a specific circular economy focus and can in fact limit the capacity for innovation.

Examples in other States include funding from Sustainability Victoria⁴² that highlights opportunities for funding and investment in a circular, net-zero emissions economy including support for developing new circular business cases, research, development and demonstration funds as well as commercialisation support. Specific material stream funding is also available for examples: textiles, organics and others.

The lack of targeted direct funding for circular economy projects will slow the transition through a lack of focus on priority areas, lack of market development and funding to support businesses who wish to transition.

⁴⁰ http://www.symbiosis.dk/en/https://wwf.panda.org/wwf_news/?204431/Kalundborg-industrial-symbiosis#:~:text=The%20Danish%20municipality%20of%20Kalundborg%20is%20widely%20considered,closed-loop%20flows%20of%20energy%2C%20water%2C%20materials%2C%20wastes%2C%20etc

⁴¹ www.cewa.com.au

⁴² www.sustainability.vic.gov.au

5. Regional analysis

5.1 Overview

There are numerous global, national, and state drivers that are pushing for circular economy change. Several strategic documents have been released as a catalyst for change in the circular economy space including:



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Each of these documents highlight different gaps in baseline data, circularity measurement and the economic growth potential associated with the circular economy opportunity. The following outlines the key baseline data that has fed into these documents and economic opportunity at a national, state, and regional level.

5.2 Australian Context

In financial year 2020/21 Australia showed a Gross Value Added (GVA) index increase of 1.3% across all industries. This was predominantly influenced by the following top three areas of growth (Australian Industry and Skills Committee, 2022)⁴⁴ Mining at 11.5% growth, Health care

and social assistance at 8.1% growth and Financial and insurance services at 8% growth. This is also reflected in employment growth projection for each of these industries between 2020 and 2025 as shown in Figure 4.1.

⁴³ National Waste Policy Action Plan, 2019, Sustainable Procurement Guide, 2020, Recycling and Waste Reduction Bill 2020, COAG Export Bans – Response strategy 2020, A circular economy roadmap for plastics, tyres, glass and paper in Australia, 2021, National Plastics Plan, 2021 National Soil Strategy, 2021, Make it Happen: The Australian Governments Modern Manufacturing Strategy 2021, Australian Circular Economy Hub Strategic action plan for 2020-2023, Diplomatic Courier Ana Rold 2021 Report, Ellen Macarthur Foundation 2022, CSIRO Circular Economy and Waste Management Plan, KPMG Potential economic pay-off of a circular economy for Australia, United Nations Environment Programme Driving The Shift To Circular Economies: New Report On Role Of Finance Industry

⁴⁴ Note that these values can vary as per what has been displayed in REMPLAN Economy database 2021 (<https://app.remplan.com.au/easternmetro/economy/industries/value-added/>)

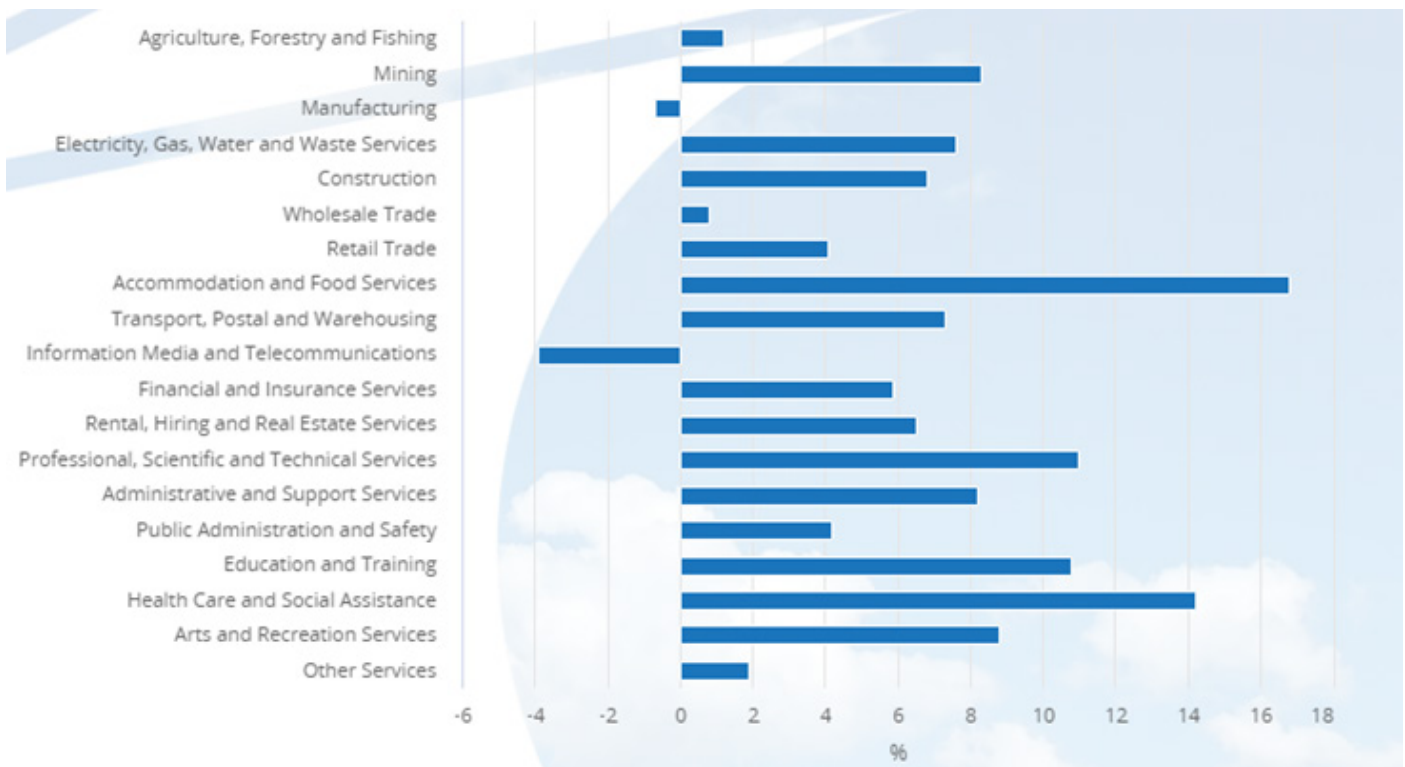


Figure 5.1 Projected employment growth from 2020 to 2025 (Australian Industry and Skills Committee, 2022)

Figure 4.1 also reflects a decline in manufacturing and information media and telecommunications employment nationally which is likely a reflection of factors such as manufacturing moving offshore due to labour costs and automation.

As expected, there was a notable spike in health care and social assistance employment in 2019 as reflected by the COVID-19 pandemic which influenced this growth. Health care and social assistance was one of the few divisions that recorded a positive employment increase during the pandemic with an increase of 54,000 people (4.1%). This is not surprising with an increase in healthcare services

including pathology, diagnostic imagery, and primary care. Although there is a significant projected growth in employment in this area, this is unlikely to be sustained in the long-term unless another unforeseen global health crisis occurs.

Each of these industries have only been compared in relation to their financial impact (GVP) and social impact (employment rates) but lack granularity around the environmental impact of each industry (i.e. material consumption, overall footprint, emissions profile, reliance on finite resources). This highlights a gap in current national reporting mechanisms such as the data collated by the Australian Bureau of Statistics (ABS).

5.3 Western Australian Context

The Western Australian (WA) economy has been characterised by a combination of historically cheap fossil fuels, landfill, an abundance of space and the private resource sector. Due to WA's resource rich environment, sustainability and circular economy initiatives have been overshadowed by a perceived threat to production and return on investments.

Currently majority of electricity in Western Australia is generated using coal and gas, with smaller amounts coming from diesel and renewable sources (wind, solar, hydro and landfill gas). With national decarbonisation targets to be net zero by 2050, there has been a shift in this industry to convert fossil fuel-based power stations to renewable energy. With the newly elected Labour government reigniting the conversation on climate action, it is likely that more centralised action will be seen at the national government level.

Western Australia accounted for 52% of Australia's goods exports in 2021. This was due to a rise in iron ore (31.6% rise to 152.2 billion) and other mineral exports (22.0% rise to 87.4 billion). With minerals and petroleum accounting for 96% of Western Australia's goods exports in 2021. It is evident that front-end virgin material management is the most influential area for Western Australia to enable circular economy initiatives.

New data released by the Commonwealth shows Western Australia's carbon emissions are up, sparking fresh debate over whether the state should join the others in setting its own emissions targets, with environmental groups saying WA is now "ground zero" in Australia's climate war. This is no-doubt due to an increase in mining operations and global demand for virgin materials such as iron-ore.

The blooming battery manufacturing industry represents one area for expansion and innovation where the WA State Government recently announced the establishment of a Future Batteries Industry Cooperative Research Centre (CRC) devoted to industry growth. This presents an excellent opportunity for the manufacturing industry within

WA, a state that produces around half the globe's supply for lithium within seven mines.

With manufacturing up 8.7%, this made the largest contribution to Western Australia's real GSP growth in 2020-21, followed by Agriculture, forestry and fishing (up 23.1%). This growth is reflected by Western Australia's manufacturing industry increasing production of minerals and chemical products and machinery and transport equipment. With a shift towards front end processing and manufacturing, there is a distinct opportunity for regional areas to leverage off this stage in the supply chain to enable a shift towards a circular economy.

5.4 The Eastern Metropolitan Region Context

The Eastern Metropolitan Region generates an estimated \$63.387 billion in revenue. This represents approximately 9% of Western Australia's revenue and 1.5% of Australia's revenue. At an estimated \$4.4 billion, the mining sector is the largest contributor to the Eastern Metropolitan Region through direct and indirect services. The largest industries contributing to annual economic output in the Eastern Metropolitan Region are transport (including Perth International Airport), postal, warehouse and manufacturing.

Figure 4.2 represents both the number and type distribution of the top 5 industries in the Eastern Metropolitan region. This figure shows that City of Swan has the greatest amount of industrial activity attributed to construction, manufacturing, rental, hiring and real estate services.

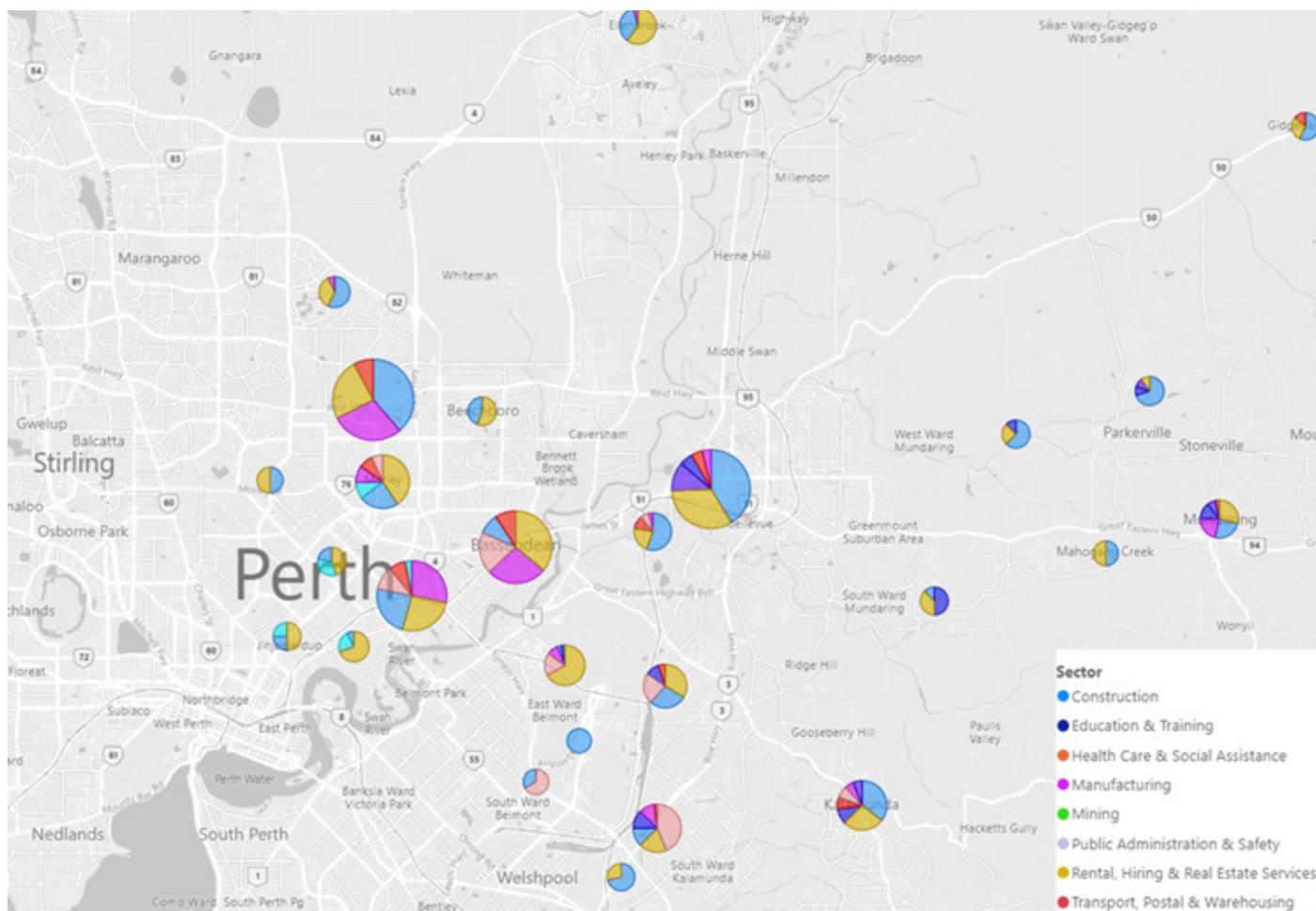


Figure 5.2 Distribution of top industry sectors in the EMRC Region⁴⁵

⁴⁵ The economic contribution has not been captured in this figure as the size of the pie graph doesn't represent the actual productivity or value added to the region but the number of registered businesses associated with each category

Figure 4.3 shows the economic distribution of each of the member councils with the City of Swan clearly contributing the greatest gross value added.

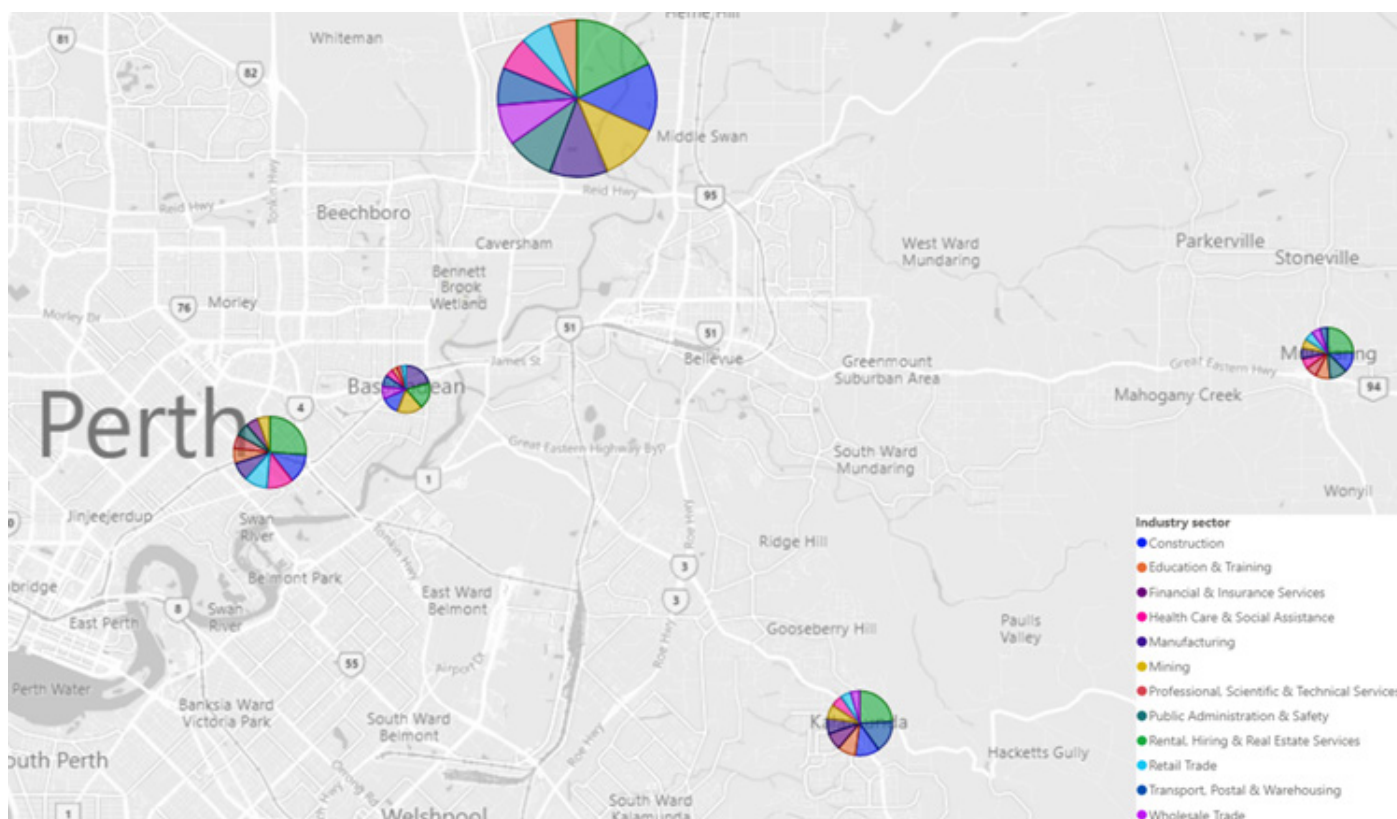


Figure 5.3 Gross value added (million\$) by each industry sector (top 10) for EMRC Region

Perth’s Eastern Region’s export value is continuously growing with a demand for mining, manufacturing, transport, postal, and warehousing industries. These industrial precincts contribute to a \$360+ billion gross state product (GSP) for Western Australia. EMRC Region supports over 120 thousand jobs and contributes a Gross Regional Product (GRP) is estimated at \$30.232 billion. Due to the locality of Perth international airport, Transport, Postal & Warehousing is the EMRC largest employment sector, supporting an estimated 14,360 jobs.

The distribution of industry sectors across the eastern region shows its diverse nature with great opportunity to enable industry collaboration and closed-loop regional solutions. The Eastern Region includes Perth’s primary international airport with direct flights to over 50 destinations including economic hubs such as London, Heathrow, Hong Kong, Kuala Lumpur, Bangkok and Jakarta. Due to the advantageous freight opportunities in the Eastern region, a cluster of mining and professional service industries are evolving including Rio Tinto’s and Roy Hill’s operational centres. The area also includes distribution centres for Woolworths, Coles and Amazon alongside freight and logistics providers such as Toll, FedEx and Australia Post.

Another industrial precinct in the region includes South Bullsbrook Industrial Precinct (SBIP) which is a developing area in the City of Swan that has significant potential for manufacturing and processing activities. Through a \$15 million Federal grant to develop roads and infrastructure connecting SBIP to National Highway, Great Northern Highway and the State Government planned intermodal terminal.

The Region also had numerous food processing and agriculture activities produced from areas such as the Swan and Bickley Valleys. With both of these areas becoming famous for their local wineries, there is increased potential to reinject end of life materials back into front-end manufacturing (i.e. glass bottles and packaging). The area is also home to several large food processing firms such as Golden Eggs and Sanitarium acting as a primary storage and passage point for commodities and agricultural produce for local, interstate and international export.

Other developing economic hubs in the region including:

- Tonkin Highway and Bassendean industrial estate⁴⁶
- Malaga Industrial Center⁴⁷

⁴⁶ <https://www.tonkinindustrial.com.au/#home>

⁴⁷ <https://www.swan.wa.gov.au/Your-Council/About-us/Local-Area-Planning/Malaga>

- Arts and culture prominent venues such as Belvoir Amphitheatre, Mundaring and Swan Art centres and Kalamunda performing arts centre
- Numerous tertiary and vocational education institutions with training areas in technological development, health and education
- Hazelmere Resource Recovery Park
- Belmont Business Precinct⁴⁸
- Forrestfield/High Wycombe Industrial Area⁴⁹
- Engineering and Manufacturing Industry Cooperative Limited (Emicol)⁵⁰
- Kewdale Rail and Freight Terminal⁵¹
- Midvale And South Guildford warehousing areas

5.5 Material consumption and waste generation

Current reporting frameworks and regulations in Australia provide good visibility over materials that are processed by licensed waste facilities, generally including residual waste treatment facilities, sorting and recycling facilities above an annual tonnage threshold. Having a wholistic understanding of material consumption and waste generation data, problematic material streams can be identified for designing waste out of the cycle in a transition to a circular economy.

Western Australians currently send over a million tonnes of household waste per annum to landfill, however data integrity is limited by the ability to accurately measure tonnages. Less than half (49%) of Perth metropolitan landfills have weighbridges, with the proportion of regional landfills with weighbridges unknown.

Although improved data capture is a stated priority of Waste Avoidance and Resource Recovery (WARR) the installation of new weighbridges at landfill sites is still a

significant impediment to accurate reporting of landfilling tonnages. According to the National Waste Report 2018 (the most recent data), 1.45 million tonnes of municipal waste was generated in WA in 2016, of which 485,000 was recycled and 962,000 tonnes landfilled (GHD 2021a).

Historically, the volume of waste flows in the Perth metro waste market have been directly correlated with changes in population and economic activity. Municipal Solid Waste (MSW) volumes had been steadily increasing year on year with population as illustrated in Figure 4.4, but were noted to have contracted by around 1% in 2017 to an estimated 920 kilo tonnes (kt), and continuing to post modest annual decreases in 2018 and 2019.

Figure 4.4 illustrates the correlation between waste volumes and population growth in the Perth metropolitan area. Note that the end of the mining boom in 2016 coinciding with a fall in Perth's domestic waste generation rates as unemployed people tend to generate less waste.

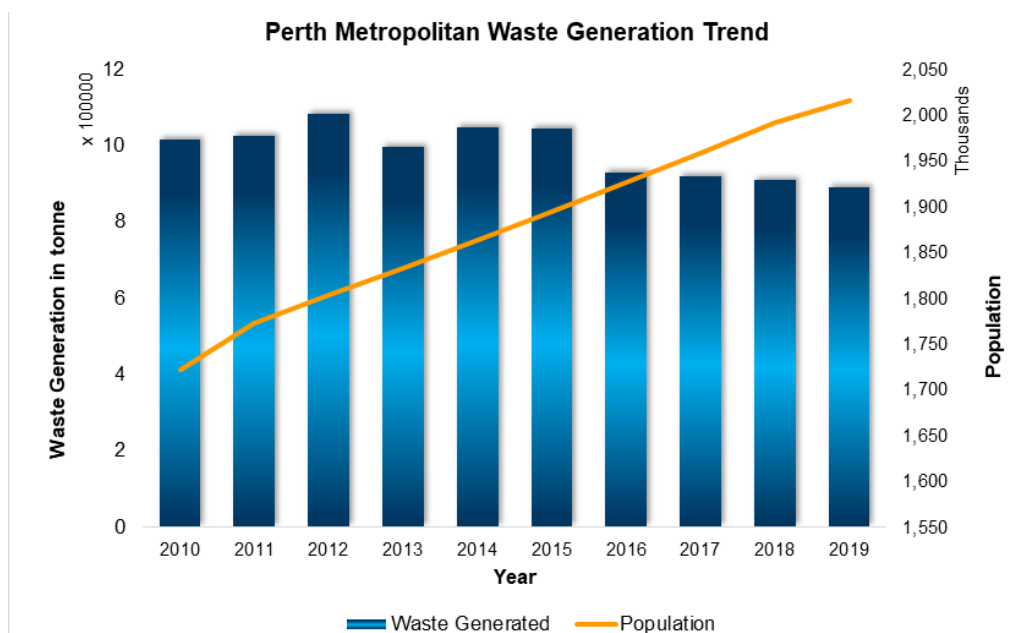


Figure 5.4 Perth metro waste generation and population trends

⁴⁸ <https://belmontbusinesspark.com/>

⁴⁹ <https://www.kalamunda.wa.gov.au/building-development/planning/projects/forrestfield-high-wycombe-industrial-area>

⁵⁰ <https://emicol.com.au/>

⁵¹ <https://www.kewdalecentral.com.au/>

6. Creating a regional circular economy

6.1 Overview

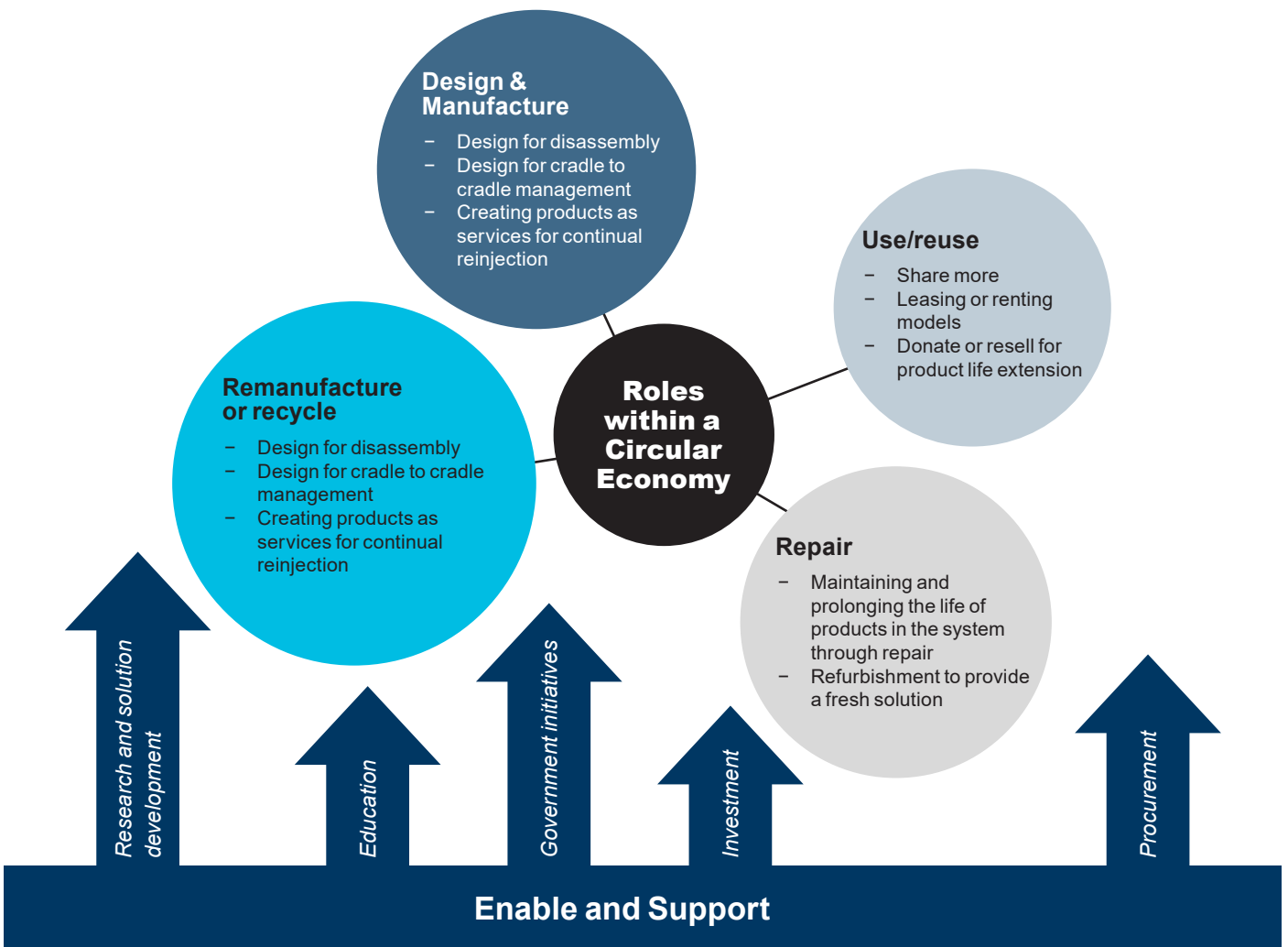
As discussed throughout this report, there are government, market and community drivers which are leading a global transition to a circular economy. Responding to this transition requires a systemic transition at all levels.

Many countries around the world have seen the opportunity that a circular economy can provide in the United Kingdom and Europe. Through clear policy and financial drivers, new circular opportunities can be identified and developed promoting new markets and job opportunities as well as reductions in virgin material use and carbon intensity.

To transition to a circular economy, it is important to understand the key roles that stakeholders need to play within a circular ecosystem. Each of these roles are important to close the loop on biological and technical resource cycles to ensure value is retained within the system. There is also a suite of enabling and supporting factors that facilitate the closing of value loops by providing

a set of enabling circumstances. These key roles and enablers are highlighted below. By understanding each of these roles and enablers, and ensuring they are included within supply chain solutions, regionally specific opportunities can be identified and maximised.

In the Eastern Metropolitan Region and across the State, there are specific opportunities for circular innovation across: specific current and future material streams, opportunities to utilise waste as a resource and develop solutions to ensure supply chains can be localised and closed. For these opportunities to be realised, local education and collaboration will need to be prioritised to ensure an understanding of the circular concept and the local ecosystem developing. Local, national, and global case studies can be used as a baseline model for duplication and/or future thinking about other possible solutions.



6.2 Regional specific opportunities

6.2.1 Resources and their circular potential

According to the World Business Council for Sustainable Development (WBCSD), ‘the total demand for resources is expected to reach 130 billion tons by 2050, ...an overuse of the Earth’s total capacity by more than 400%’⁵². By transitioning to a more circular material use model, there are significant environmental, financial and intergenerational benefits⁵³.

To circularise our resources, we need to ensure that we close the loop. For the region to move away from a linear take – make – use – dispose model, each aspect of Figure 5.1 below needs to be available for all resources. When considering the basic stages of a material’s circular life cycle, it is evident that investment needs to be made into the transformation and reuse parts of the cycle to allow for small circle solutions that keep value in the system.

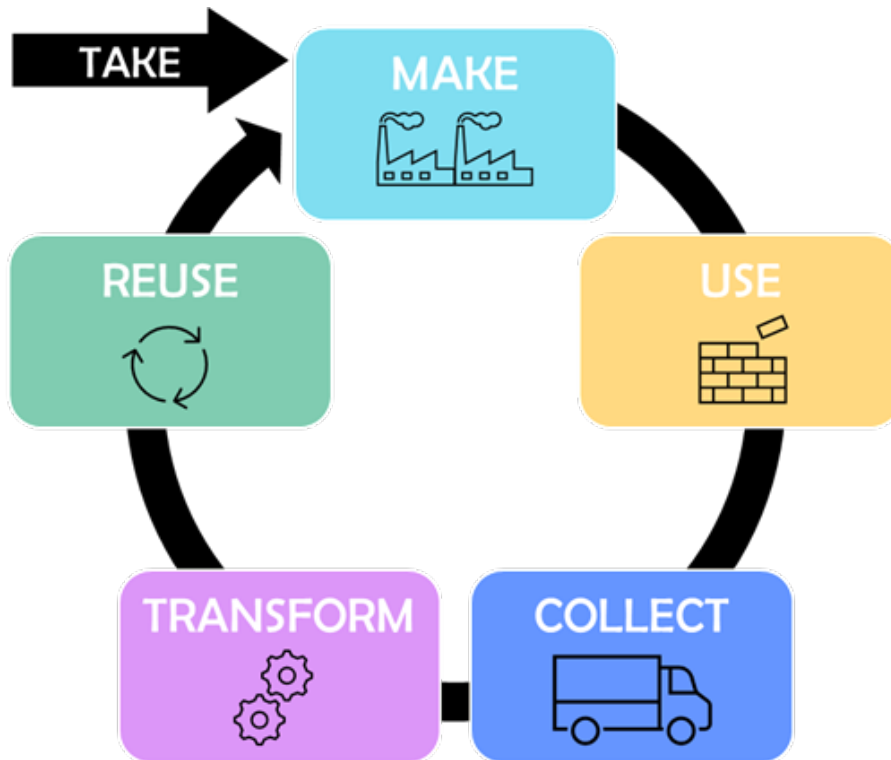


Figure 6.1 Ideal resource and material lifecycle⁵⁴

As shown below, small circle solutions for commonly used materials such as concrete, plastics packaging, steel/ metal and technology products are inhibited by a lack of transformation and reuse potential. By controlling front end manufacturing, reuse potential of different materials could be endless, creating a more stable economy through new market development and more sustainable material design. The following provides three example of material streams which are limited by specific links in their circular lifecycle.

In Western Australia there are numerous concrete manufacturing groups such as Cockburn Cement which use virgin materials to produce aggregates for cement. This can then be applied throughout the region in roads, infrastructure and alike. Once the material reaches end of life, there are limited collection and transformation options with most projects leading to disposal to landfill. To close this loop, a focus should be drawn to identifying innovative solutions for concrete reuse/ repurposing/ recycling.



⁵² World Business Council for Sustainable Development, 2017

⁵³ Journal of Cleaner Production – ‘Macroeconomic, Social and environmental impacts of a circular economy up to 2050’

⁵⁴ Note, greyed out boxes indicate areas in a specific products’ circular life cycle where the eastern region currently has no notable influence of infrastructure.

Like concrete, the main inhibiting factor to circular packaging solutions in Western Australia is limited infrastructure and options. This is often due to front-end design limiting the re-use potential of plastics packaging and the high energy demand reuse solutions. With groups such as Redcycle helping close the loop in collecting and aggregating this material, the next focus should be on economically viable reuse solutions.



Technology such as phones, computers and other devices are a perfect example of how circular solutions are limited in the region. With limited to no visibility of the manufacturing process, the transform and reuse potential is also constrained. With this said, there are several repair options such as screen replacement and tech service providers which can be used to elongate the life of these products. The materials themselves are often sent to landfill due to lack of disassembly and redistribution potential.

The concept of a product or material leasing model has been proven to be effective with a greater focus on maintaining products in their natural life cycle and designing them for maintenance and reuse. By retaining ownership, materials can be sold an endless number of times to new customers adding value to the business as a continued revenue stream.

While this concept has been embraced across some industries (eg Kennards, Other hire/leasing services) others at the beginning of the value chain such as Australian mining and manufacturing organisations could investigate the full ecology of their system including retaining ownership of their mineral/metal product and cycling it back through their business to create an additional value add when it is resold to the next user. This will be particularly important for the critical minerals sector who are only at the beginning of a substantial need for resources as the world decarbonises. Additional value streams can also be found in tailings and waste streams. For example, other valuable metals and minerals often found with copper such as uranium, silver and gold which is produced by BHP’s Olympic Dam Metal Mine could be valorised⁵⁵.

With Western Australia still heavily reliant on global supply chains, small circle solutions may seem unattainable however due to vast land utilisation opportunities and an increasingly skilled workforce population a transition is possible. Accessibility to high commodity resources such as natural gas, critical minerals and metals, the eastern region is well-positioned to shorten current product supply chains by increasing process manufacturing and remanufacturing. This opportunity is further enhanced by the region’s locality to logistics and transport hubs, further supporting the business case for small circle distribution and collection of goods.

Transitioning to a circular economy also requires the reuse and reprocessing of materials. Current state and national drivers lead to the following material streams being identified as the most opportunistic business propositions for regional manufacturing and reprocessing facilities. Some of these opportunities include:

- **Tyre processing, repurposing, and repair:** Due to the COAG Ban on exporting whole tyres, processing in Australia is more economically viable than before. This is due to the high energy consumption/ cost associated with chipping the material for export. Although rethreading for elongated life and repurposing as open-loop solutions such as road surfacing is lower in level of circularity than reuse, opportunities are currently limited by the high temperature treatment of the rubber-based material.

Circular strategies can be applied to tyres including elongating the life of the product through retreading, repurposing as road or other surfacing, conversion to an alternative fuel source with lower emissions profiles, metal reuse, lower-order recycling of nylon-based fabrics in manufacturing of tyres. Companies such as **Circularind** and **Shaw Contract** provide innovative circular remanufacturing solutions while organisations such as UNSW are researching alternative solutions to difficult to abate materials through **Micro Factories**.

⁵⁵ BHP, 2021

- **Renewable energy infrastructure repair and reuse:** The industrial movement to decarbonise has introduced new technologies that are heavily reliant on batteries. With lithium refining currently being invested in WA there is an opportunity to remanufacture these products. By aggregating renewable infrastructure in excess warehousing precincts in the region, reuse options could be achieved. Renewable energy sources and energy efficiency should be considered as a service with the intent to design out waste and recycle.
- **Reuse of materials and encapsulating embodied carbon:** All material streams such as glass, furniture, processing equipment and building supplies have an associated carbon footprint. By re-using these materials as a continuous, circular solution there is potential to reduce to carbon emissions and footprint associated with the formation of these products from virgin materials.

By designing for disassembly and reconstruction embodied carbon can remain in the system and prevent the introduction of new products. This system is exhibited by the Container Deposit Scheme which encourages collection of easy to retain materials for reinjection into the cycle. Other examples include **Greencrete - Redicrete** Quality Ready-Mixed Concrete and **BAMB** - increase the value of building materials in the building industry

- **Paper and cardboard, single use plastics refusal and reprocessing:** The COAG ban has also driven, government co-investment to design single use plastics out of the supply chain (i.e. plastic straws and plastic shopping bags) as well as reprocessing of paper and cardboard. There are also other options for the remaining non-renewable and oil derived (industrial) reprocessing such as what is being implemented at the Bayswater trial. Another example is Redcycle who is working with organisations such as **iQRenew - Intelligent Australian Recycling** to create alternate fuel sources for industrial process such as kilns.
- **Substitution of organic fertilisers for industrial fertilisers:** With the release of the national waste strategy and national soil strategy there is a push for a transition to organic fertilisers in agricultural applications. With the cost of conventional fertilisers are increasing creating an opportunity for greater uptake of recycled/ organic products or fertiliser. Fossil derived fertilisers could be phased out with if currently acting as the 4th largest commodity globally. A transition to organic based fertilisers exhibits circular repurposing and acts as a decarbonisation solution by providing a natural carbon cycle solution for agricultural demand. Organic waste solutions have been provided by organisation such as and Donut waste – coffee grounds.
- **Offshore oil and gas decommissioning infrastructure:** With over \$50 billion of decommissioning work estimated to be required for Australia's offshore oil and gas infrastructure there is a growing market for metal cleaning and recycling services (National Energy Resources Australia, 2021). With the current regulatory preference being full removal, there will be a significant increase of material streams such as stainless steel, hydrocarbon waste, naturally occurring radioactive material/ muck (solid waste), biological marine matter from cleaning, plastic coatings and other miscellaneous streams. Industry collaboration and shared strategies is integral in servicing this growing industry.

6.2.2 Regional hubs and industrial ecology

Regional hubs can provide an opportunity to collaborate across multiple materials streams and sectors to identify local value chains and facilitate close looped, circular economies. As discussed in section 4.3, WA accounts for 52% of Australia's goods exports in 2021 with over 200 billion dollars of revenue generated from virgin materials. From this, the Eastern Metropolitan Region generates an estimated \$63.387 billion in revenue from transport (including Perth International Airport), postal, warehousing, construction, and manufacturing. Each of these industries pose their own unique circular economy opportunities.

The concept of industrial symbiosis is not new, with a heavy reliance on understanding all aspects of an area's needs, inputs, and outputs. The Kwinana Industrial Precinct is a great example of an industrial hub where chemical processing manufacturers such as CSBP provide inputs to metal refining processing in the area and

shared infrastructure. Provisions such as the Precinct's shared noise and emissions environmental approvals force industry collaboration and operational optimisation. With the Eastern Region starting to develop industrial hubs in Hazelmere, South Bullsbrook, Malaga and alike, there is a unique opportunity to co-develop these area's as industrial innovation hubs with a core focus on attracting symbiotic industries and appropriate solutions

Another key economic region with unique potential is the Swan and Bickley Valleys. With land availability, proximity to a trained workforce and a well-established tourism market, these two regional hubs have the potential to grow into locally focused circular economies. Current service offerings including hobby farming, wineries, distilleries, temporary accommodation and more, result in notable consumption of materials such as organics and packaging which could remain within the regional area through closed-loop solutions.

The global exemplar, Kalundborg in Denmark, has developed as an industrial ecology through its use of energy integration and closed-loop materials cycling among to yield the greatest net benefit. With less pollution, more efficient use of resources, and less need for environmental regulatory supervision through joint approvals, Kalundborg provides the perfect example of how a large land area, agricultural and tourism focused regional area can close the loop. From bioplant processing feeding yeast into live-stock feed which provides high quality sludge for cropping and energy production, the options for upscaling the area through key industrial services makes the Swan and Bickley Valleys prime regional hubs.

Another key regional hub opportunity is present near Perth Airport. Situated on the Great Eastern Highway and home to numerous logistics service providers (i.e. Australia post, FedEx, Toll), Perth Airport is in a prime position to capitalise on circular change. With each of these service providers emitting high levels of greenhouse gas emissions through traditional fossil fuel-based vehicles, there is a need for regional innovation to provide carbon neutral alternatives to current operational practices. Each of the businesses in this logistics hub has highly complex state and national services which often also rely on high amounts of disposable packaging and transport materials (i.e. timber pallets, shrink wrap, packing boxes). By working with organisations such as Opal⁵⁶, Perth Airports logistics hub could transition to more circular packaging solutions, closing the loop on one of their major material consumption and generation streams. Due to the regions locality to large open land areas, there is also potential of integrating fully renewable shared energy generation infrastructure which could help enable high energy intensive alternate fuel source production processes (i.e. hydrogen, tyre derived fuels, refuse derived fuels). In addition, these underutilised land and warehousing areas could become critical transfer stations for disassembled products and materials awaiting reuse by others across a whole range of sectors. An assessment of core product and material flows will be needed to inform this kind of outcome.

Focus could be given to looking at developing a suite of business types and skillsets to facilitate more circular outcomes. Support the shift of businesses from a point-of-sale business approach to offering their product as a service. Within regional hub there is also merit in considering an attraction strategy for businesses that may complement each other. A logistics operation close to a resource recovery facility for backhauling purposes or developing a suite of businesses co-located that can utilise each other's waste products as priority inputs

Existing regional hubs can also be seen as potentially rich in reusable resources. Aging industrial warehousing and storage can be seen as an opportunity for new business leases with a more circular supply chain focus. In addition, no longer needed materials could be harvested and moved on to other uses prolonging their life.

6.2.3 Education, Upskilling and Collaboration

Research undertaken by the Australian Circular Economy Hub identified that while '88% of business leaders believe that the circular economy will be important to their business in the future more than a third of leaders were unable to define what the circular economy was or how to implement circular principles'⁵⁷. Education and upskilling will be critical to taking advantage of the circular economy opportunities within the region and across the State.

Through education on the importance of elongating the life of a resource, new regional services can be identified. This opportunity has been realised through numerous services such as Gumtree and Facebook Market Place where products are diverted from landfill by creating a local economy around the resale of products. Currently limited by digital platforms, these services could be expanded into regional innovation hubs where products are matched with those in need. This process can also reduce the need for new products to be bought in to the region by encouraging and facilitating the reuse and introduction of new embodied carbon into the region through new product creation, transport and disposal.

By encouraging community and industry collaboration, a more holistic supply and demand picture can be established. Through broader industry engagement, networks can be created to better optimise current industry practices and close the loop. For example, organisation such as Fixable act as a social enterprise with a goal to "make money" while creating a sustainable business⁵⁸. The organisations objectives are to:

- Have a defined primary social, cultural or environmental purpose consistent with a public or community benefit,
- Derive a substantial portion of our income from trade,
- Invest efforts and resources into our purpose such that public/community benefit outweighs private benefit.

Fixable's digital presence has successfully diverted waste from landfill by linking individuals' skills and services to customers in need of repairs. This business model could be applied across industry for the sharing of equipment, learnings and resources for a mutually beneficial outcome.

⁵⁶ <https://acehub.org.au/knowledge-hub/case-studies/opal>

⁵⁷ http://assets.ctfassets.net/fqjwh0badmlx/6fpGTK8JOTzAMktVSSfN2/c0a64829525f670d472bb0b94504e445/ACEHUB_CIRCULARITY_IN_AUSTRALIAN_BUSINESS_2020_REPORT.pdf

⁵⁸ <https://fixable.co/>

Collaboration around shared themes and challenges can have wide ranging impacts. Cardiff Metropolitan University, Celsa Steel UK, One Planet Cardiff and Cardiff Commitment (Curriculum Development) have co-funded a pilot project working with businesses, schools and colleges to network and develop a broader understanding of Circular Economy principles⁵⁹. In Australia, collaborations between research centres, industry and Government has paved the way for innovative new sustainable materials and processes research and technology focused on solving the global problem of waste generation. Professor Veena Sahajwalla and her team have transformed many waste products into useful resources⁶⁰. Regional hubs can act as the catalyst for stakeholder collaborations identify key challenges requiring solutions.

Programs like this could be considered in the Eastern Region to help link different community groups, industries and government bodies in identifying shared challenges and developing shared solutions. These types of programs can also help address high priority areas of concern such as state-wide decarbonisation, net environmental impact, and economic diversification as well as sharing the cost and risk generally associated with innovative solution development.

Providing an environment of active engagement and open collaboration is a key enabler for change. As highlighted in section 3.1, fostering innovative idea generation can help eliminate reliance on virgin materials and reduce leakage from the system. By including basic circular economy theory into all levels of the regional education system, untapped solutions and community behaviour change can be achieved. For example, Involvement and promotion of Circular Economy WA (CEWA) and others can be a vehicle to educate and promote the value of a circular economy as well as support the development of a broader circular ecosystem which is an imperative to closing the loop. There are many examples of successful initiatives shifting the conversation from new to repair such as community-based repair cafes and Buy Nothing websites.

⁵⁹ <https://www.walescirculareconomy.com/>

⁶⁰ <https://www.smart.unsw.edu.au/>

7. Recommendations and next steps

7.1 Overview

Dictated by a reliance on material export and commodity prices, WA has traditionally been a boom-and-bust economy. Implementing regional circular economy opportunities can create a more stable baseline for the future. With and increased focus on accountability, cradle to grave pathways can be avoided with higher reinjection rates of materials. Additionally, robust, historical databases can inform future demand and maximise the use of existing circular business within the region. By turning material flows into clear economic opportunities for industry and communities, the business case for circular solutions becomes a logical next step to going beyond recycling and source separation.

Considering the state and regional climate, it is important to acknowledge both immediate and medium to long-term strategic next steps. These two layers can kick-start a circular economy across the region.

7.2 Immediate opportunities and needs

Select a few key areas of focus based on further engaging with key stakeholder groups. Engage with specific groups or supply chains initially in an effort to achieve effective outcomes. This outcomes and success stories can be built on.

Telling the circular story is a key part of educating community, industry and government bodies. By identifying upcoming local projects which can design out waste and use recycled products, greater awareness in the region can be achieved through real-life examples. Once these projects are identified, servicing groups can provide support in design specifications, procurement optimisation, waste minimisation and recycled product integration recommendations.

As enabled by national and state policies, recycling, remanufacturing, and reuse infrastructure that is planned or already in operation should be highlighted across all industries. This will help support the recovery of priority material streams such as single use plastics, organic waste, tyres, paper, and cardboard. This will ultimately support key circular economy solutions to flourish and expand.

Data will be a key requirement to build a clear picture of the opportunities available and how best to access them. More accurate data at the right level of granularity will be required to make these in-depth assessments. Engaging

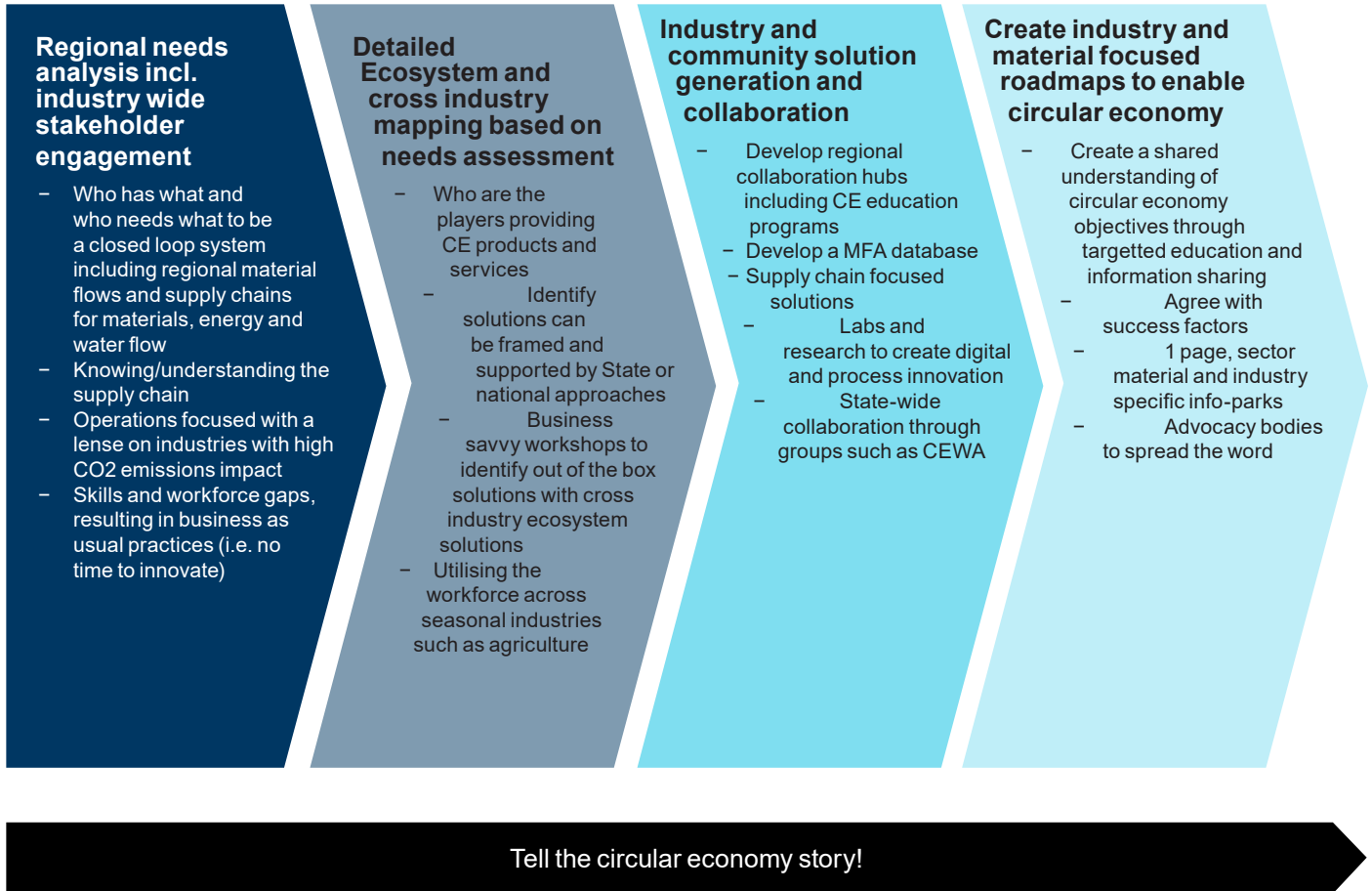
with Industry will be essential to help them understand the imperative and how it could benefit them to provide this level of data. Additional policy may be required to assist this process.

With numerous small circle services such as repair cafes, second-hand marketplaces, community advocacy groups and equipment leasing there are pockets of innovation appearing throughout the region. It is important to identify these sector and community leaders as first movers to help encourage others to make the transition. Published success stories can help foster innovative idea generation by highlighting logistics and strategic solutions which challenge business as usual models.

As major industry groups are grappling with internal decarbonisation targets and increased focus on ESG, investment in emerging technologies and unique ideas are increasing. Supporting funding distribution across all aspects of the supply chain will help generate innovative solutions to decarbonisation whilst taking the burden off a specific organisation by sharing the load. Initiatives related to economic development and diversification can help identify strategic investment opportunities. Strategies that leverage off multiple sectors can influence regional development perspectives and attract funding. This will likely require input from Government to achieve.

7.3 A four-stage circular economy enabling strategy

As mentioned in section 5 innovation and collaboration is a key opportunity for growth in the shift towards circularity. To enable more effective industry collaboration and ideation, a circular economy strategy for the region should be established. By applying the following four-stage approach, the region will be in the best position to achieve circularity across all aspects of its economy.



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Appendix A

Detailed WA project list

- Mining (47% or \$169.6 billion). Some of the key projects includes:
 - Boddington Gold Mine in Boddington (Peel region) is one of the biggest gold mines in western Australia with 696,000 troy ounces production per year
 - Gorgon LNG in Barrow Island with 10,000 plus workers produces 15.6 million tonnes of LNG per annum
 - Whaleback mine in Newman (Pilbara region)
 - Greater Tom Price Mine in Tom Price (Pilbara)
 - Warrawoona Gold Project and Marble Bar Lithium Project in Marble Bar (Pilbara)
 - Robe Valley Mine and Mesa J mine in Pannawonica (Pilbara)
 - Paraburdoo Iron Ore Mine and Mt Maguire Gold Project in Paraburdoo (Pilbara)
 - South Flank and Iron Bridge magnetite mine in Port Hedland (Pilbara)
 - The Super Pit and Kalgoorlie Operation in Kalgoorlie (Goldfields)
 - Gwalia mine in Leonora (Goldfields)
 - Southern Cross Operation in Southern Cross (Goldfields)
 - Coolgardie Gold Project in Coolgardie (Goldfields)
 - Norseman Gold Project in Norseman (Goldfields/Esperance)
 - Karara Mining in Geraldton
 - Argyle Diamond Mine and Mt Gibson Iron, in Kimberley region
- Construction (5% or \$18.2 billion). Some of the major Construction in WA includes:
 - METRONET: \$1.84 Billion
 - Outback Way Project: 1.008 billion of which \$476+ million is allocated to WA)
 - Mount Holland Lithium Project: \$1,400m
 - Elizabeth Quay Lot V and Lot VI Mixed-Use Complex: \$841 million
 - Bunbury Outer Ring Road Project: \$560 Million
 - Tonkin Gap works as part of the \$1.39 billion Tonkin Corridor Upgrades
 - Port Augusta to Perth Corridor: \$62.5 Million
- Manufacturing (4% or \$15.3 billion). Top manufacturing companies in Western Australia with annual sales revenue above \$5m includes:
 - Australian Underwriting Holdings Limited (Perth)
 - CSBP Limited (Kwinana Beach)
 - Wesfarmers Bengalla Pty Ltd (Perth)
 - Ucone Pty Ltd (Perth)
 - Wesfarmers Chemicals, Energy & Fertilisers Limited (Murdoch)
 - Cumings Smith And Company Limited (Perth)

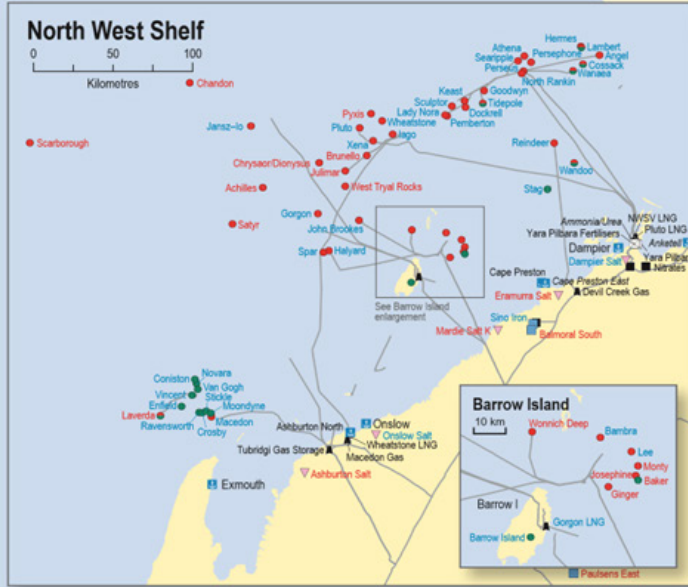
- Pailou Pty. Ltd (Perth)
- Bluescope Building And Construction Limited (Welshpool)
- Bluescope Water Australia Pty Ltd (Bellevue)
- Envirocoat (Wa) Pty Ltd (Perth)
- Woodside Energy Group Ltd (Perth)
- Hamersley Iron - Yandi Pty Limited (Perth)
- Shell Energy Holdings Australia Limited (Perth)
- Samsung Heavy Industries Co., Ltd. (Perth)
- Goldcorp Australia (East Perth)
- Agriculture, Forestry And Fishing (2% Or \$6.4 Billion)
 - Agriculture
 - Northern Agricultural Region (NAR)- The NAR covers 7.5 million hectares which runs from Gingin in the South to Kalbarri in the north, east to Mullewa, Perenjori and Kalannie along the Local Government Area (LGA) boundaries
 - Southwest agricultural region- The SWAR covers area across Wheatbelt, Mid-West, Great Southern and Goldfields-Esperance (Esperance Port Zone) regions
 - WA produces on average 13 million tonnes of grains (cereals, oilseeds and pulses) each year. The state's grain production area, known as the 'wheatbelt', covers seven million hectares across the south-west corner of the state.
 - Forestry
 - Jarrah and Karri Forest in the south-west of the Australia
 - Remnant areas of rainforest in the Kimberley
 - Great Western Woodlands
 - Fishing
 - West Coast Bioregion
 - South Coast Bioregion
 - Gascoyne Coast Bioregion
 - North Coast Bioregion
 - Northern Inland Bioregion

Appendix B

**Major Mining and Resource in WA
(2021)**

Major Resource Projects March 2021

Project labels:
 Principal resource projects operating with sales >\$5 million in 2019-20 are in blue text
 Resource projects currently under construction are in green text
 Planned mining and petroleum projects with at least a pre-feasibility study (or equivalent) completed are in red text
 Principal resource projects recently placed on care and maintenance, or shut are in purple text



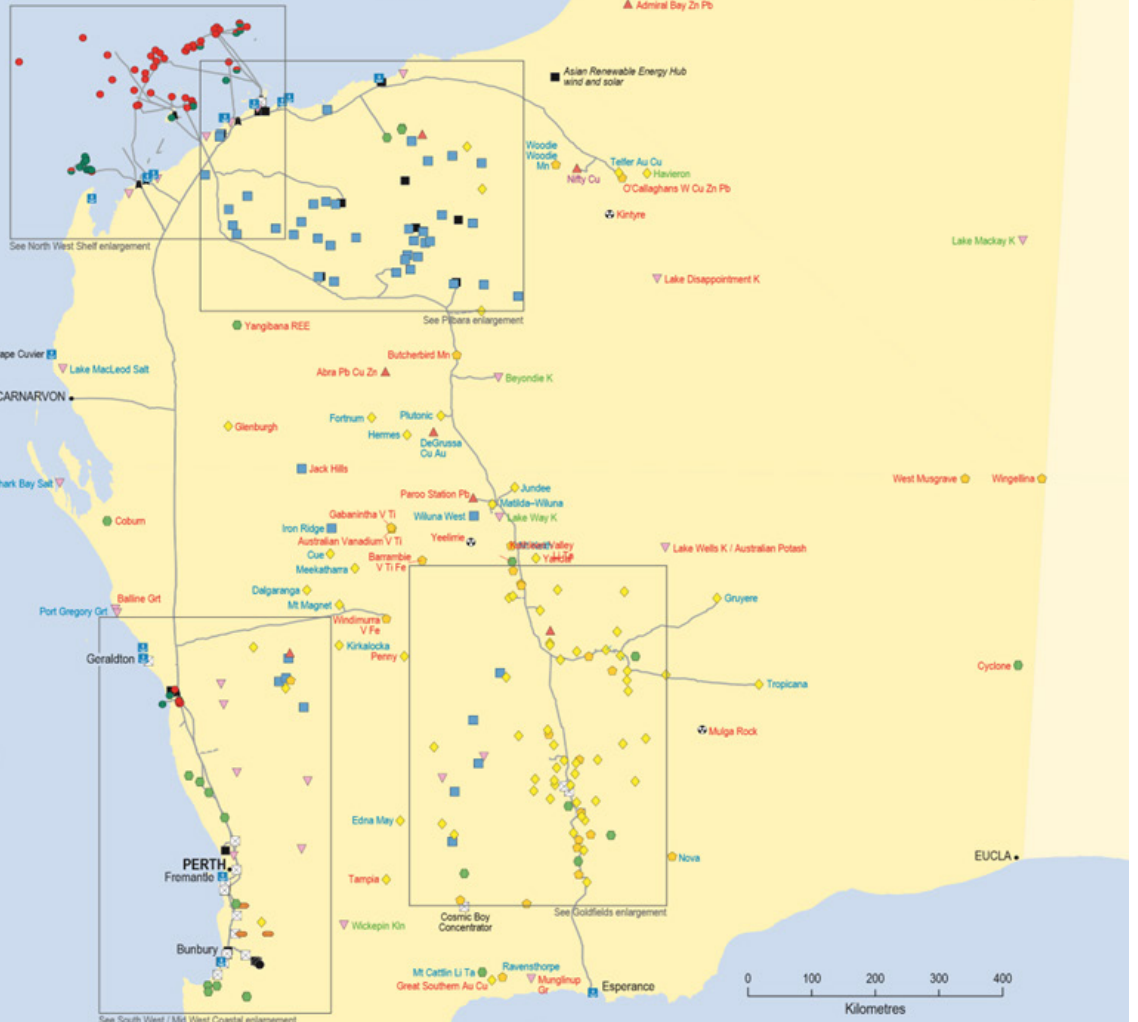
- Commodities**
- Ag..... Silver
 - Al..... Alumina
 - Au..... Gold
 - Cu..... Copper
 - Dmd..... Diamond
 - Fe..... Iron
 - Gr..... Graphite
 - Grt..... Garnet
 - K..... Potassium
 - Kln..... Kaolin
 - Li..... Lithium
 - LNG..... Liquefied natural gas
 - Mag..... Magnetite
 - Mn..... Manganese
 - Ni..... Nickel
 - Pb..... Lead
 - Pd..... Palladium
 - Pt..... Platinum
 - REE..... Rare earth elements
 - Ta..... Tantalum
 - Ti..... Titanium
 - V..... Vanadium
 - W..... Tungsten
 - Zn..... Zinc
 - Zr..... Zirconium

- Mineral symbols**
- Precious mineral
 - ◇ Precious metal
 - ▲ Steel alloy metal
 - Speciality metal
 - ▲ Base metal
 - Iron
 - Bauxite
 - Coal and lignite
 - Uranium
 - ▽ Industrial mineral
 - Mineral Processing plant

- Petroleum symbols**
- Gas
 - Oil
 - Oil and gas
 - ▲ Petroleum Processing plant
 - Oil / gas pipeline, operating
 - - - Oil / gas pipeline, proposed

- Infrastructure**
- Power plant
 - Port
- Infrastructure status**
- Operating or under development
 - Proposed

Enquiries for latest information for Commonwealth-controlled waters is available from the National Offshore Petroleum Titles Administrator (NOPTA) at <info@noppta.gov.au>



Government of Western Australia
 Department of Mines, Industry Regulation and Safety



Major Resource Projects

March 2021



Commodities		Mineral symbols	
Ag..... Silver	Al..... Alumina	◆ Precious metal	◆ Steel alloy metal
Au..... Gold	Cs..... Cesium	● Ni (or as shown)	● Ni (or as shown)
Cu..... Copper	Fe..... Iron	● Speciality metal	● Ti-Zr (or as shown)
HPA..... High purity alumina	K..... Potassium	▲ Base metal	▲ Base metal
Kln..... Kaolin	Li..... Lithium	■ Iron	■ Iron
LNG..... Liquefied natural gas	LPG..... Liquefied petroleum gas	■ Bauxite	■ Bauxite
Mag..... Magnetite	Ni..... Nickel	● Coal and lignite	● Coal and lignite
Pb..... Lead	REE..... Rare earth elements	◆ Industrial mineral	◆ Industrial mineral
Sisd..... Silica sand	Sn..... Tin	□ Mineral Processing plant	□ Mineral Processing plant
Ta..... Tantalum	Tl..... Tellurium	■ Petroleum Processing plant	■ Petroleum Processing plant
Ti..... Titanium	Tlc..... Talc	— Oil / gas pipeline, operating	— Oil / gas pipeline, operating
V..... Vanadium	W..... Tungsten	- - - - - Oil / gas pipeline, proposed	- - - - - Oil / gas pipeline, proposed
Zn..... Zinc	Zr..... Zirconium	■ Power plant	■ Power plant
		■ Port	■ Port
		■ Infrastructure status	■ Infrastructure status
		Operating or under development	Operating or under development
		Proposed	Proposed

Enquiries for latest information for Commonwealth controlled waters is available from the National Offshore Petroleum Titles Administrator (NOPATA) at <info@nopata.gov.au>

South West / Mid West Coastal



Project labels:

Principal resource projects operating with sales >\$5 million in 2019-20 are in blue text

Resource projects currently under construction are in green text

Planned mining and petroleum projects with at least a pre-feasibility study (or equivalent) completed are in red text

Principal resource projects recently placed on care and maintenance, or shut are in purple text

Goldfields





5.5 REPORT ON THE WA 2022 WASTE AND RECYCLE CONFERENCE

D2022/17542

PURPOSE OF REPORT

To provide a report to Council on the recent WA 2022 Waste and Recycle Conference, held on 13, 14 and 15 September 2022.

KEY POINT(S)

- A report was presented to Council at its June 2022 meeting regarding Councillor nominations for the WA 2022 Waste and Recycle Conference;
- Councillors, Dylan O'Connor, Kathryn Hamilton and Hilary MacWilliam and Deputy Councillor Cicchini were endorsed as Council's representatives;
- In addition to this, Council endorsed up to two community members of the Waste Management Community Reference Group (WMCRG) to also attend the conference;
- Council endorsed the EMRC CEO, Marcus Geisler to attend the conference and Marcus was also a guest presenter;
- The EMRC organised a trade display at the conference which was manned by EMRC staff for the duration of the conference;
- The Waste Education Team also organised and manned a Textiles Clothes Swap Shop and the Waste Education Coordinator was also a guest presenter;
- Two WMCRG members expressed an interest in attending and the two places were registered; and
- The Conference was held on 13, 14 and 15 September 2022.

RECOMMENDATION(S)

That Council notes the report on the 2022 WA Waste and Recycle Conference.

SOURCE OF REPORT

Chief Sustainability Officer

BACKGROUND

- 1 The WA Waste & Recycle 2022 Conference was held on 14 and 15 September 2022 at Crown Towers Perth, which was preceded by two concurrent full day tours on Tuesday 13 September 2022. The Waste & Recycle Conference is an event which caters for those involved in the waste management, resource recovery and recycling sectors. The theme for the 2022 conference was "*RE-thinking WA by reducing, recovering and remanufacturing*".

Council, at its 23 June 2022 meeting, resolved as follows:

"THAT:

1. *COUNCILLORS AND OFFICERS NOTE THE DATES OF 14 AND 15 SEPTEMBER 2022 FOR THE WA WASTE & RECYCLE 2022 CONFERENCE.*
2. *COUNCILLOR(S) KATHRYN HAMILTON, CR JO CICCHINI, CR DYLAN O'CONNOR, CR HILARY MACWILLIAM AND THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO ATTEND THE WA WASTE & RECYCLE 2022 CONFERENCE.*

3. *TWO (2) PLACES TO THE WA WASTE & RECYCLE 2022 CONFERENCE BE OFFERED TO THE WASTE MANAGEMENT COMMUNITY REFERENCE GROUP (WMCRG) IN THE EVENT THAT SOME MEMBERS MAY WISH TO ATTEND.”*
- 2 Two community members of the Waste Management Community Reference Group (WMCRG) attended the conference as did the EMRC CEO, Marcus Geisler who was a guest presenter at the conference.
- 3 EMRC staff organised and manned an EMRC information stand as part of the trade display at the conference and the Waste Education Team also organised and manned a Textiles Cloths Swap Shop.

REPORT

- 4 The Minister for Environment; Climate Action, Hon Reece Whitby MLA opened the conference and he was followed by a Keynote Addresses from Michelle Andrews, Director General, Department of Water Environment and Environmental Regulation. The other keynote speaker on the Wednesday was Dr Karl (Kruszelnicki), who shared his infectious enthusiasm for science.
- 5 The EMRC CEO Marcus Geisler presented on the topic of the Circular Economy and in particular the Green Deal Alliance, leading the way for sustainable procurement and material security in major infrastructure projects through partnerships
- 6 The conference, hosted by the Waste Management Association of Australia (WMAA), Department of Water and Environmental Regulation (DWER) and Western Australian Local Government Association (WALGA), is recognised as one of the largest gatherings of thought leaders, educators and industry professionals in the waste and resource recovery sector.
- 7 There were networking opportunities throughout the conference, particularly during the morning tea, afternoon tea and lunch breaks, which allowed attendees to share experiences and knowledge with peers and interact with others in the waste and recycling industry on previous achievements and successes and future opportunities and challenges.
- 8 Day 1 (13 September) comprised of the following tours:
 - Tour 1 – Following the Containers Deposit Scheme Trail:
 - Containers for Change – City of Perth Depot – Aberdeen St Perth.
 - Containers for Change – Return-It-Depot (ParaQuad Industries) Shenton Park.
 - Total Green Recycling – Welshpool.
 - Remondis Resource Recovery Facility – Canning Vale.
 - Good Sammy Behind the Scene; CDS and Resource Recovery – Canning Vale.
- 9 Tour 2 – Pick and Mix:
 - Sims Metals – Kwinana Beach.
 - Waste to Energy – East Rockingham.
 - Cleanaway MRF – South Guildford.
 - EMRC Hazelmere Resource Recovery Park – Hazelmere.

- 10 Day Two (14 September) comprised of the following sessions:
- The opening addresses and keynote speakers as previously mentioned.
 - The session between lunch and morning tea was a Panel Session “Starting with the end in mind: Unlocking the FOGO supply chain, facilitated by Di Darmody. The panel was exploring why we need to keep FOGO clean and then following the supply chain from input through to processing and how to ensure a clean end product.
 - Concurrent sessions were held in the afternoon of Day two around the following categories; Being Circular Economy, Behaviour Change, Infrastructure and The Conversation Cafe.
- 11 Circular Economy speakers and topics included:
- Huia Adkins – GHD - Are we there yet? What is missing in WA to transition to a circular economy.
 - Louis Bettini – Main Roads - Opportunities for promoting the circular economy by using C&D material and tyres.
 - Samantha Surfield–Circular Sustainability 500B - Sustainable Furniture Property Pilot Project.
 - Connor Warn – Town of East Fremantle - Want to know how to run a successful public event that attracts, feeds and entertains over 10 thousand people without plastic waste or litter.
 - Marcus Geisler – EMRC –The Green Deal Alliance leading the way for sustainable procurement and material security in major infrastructure projects through partnerships.
- 12 Behaviour Change speakers and topics included:
- Libby Eustance and Peter Engel – WMRC - Creating good waste practices through collaboration between operations and education.
 - Nicola Brandon – Containers for Change - Driving positive behaviour change should be a piece of cake when it comes to recycling.
 - Rachel Hayton and Gina Ogilvie – Talis Consultants - Education and Behaviour Change Approaches – Better Practice for Waste Management Pilot Study.
 - Isabelle Marie – EMRC - New to me, Sustainable Style. Can clothes swaps encourage sustainable changes in a team and community.
 - Candice Myers – Cleanaway - Is the industry’s approach to waste and recycling education becoming ineffective? And what can we do to effect sustainable behavioural change?
- 13 Infrastructure session speakers and topics included the following:
- Giles Perryman – ASK Waste Management – At a quarter of the way into the WA Waste Strategy 2030 - how are we doing.
 - Talebul Islam and Alexandra Bastos – Randwick City Council - FOGO Journey in Randwick Council.
 - Jason Pugh – East Rockingham Waste to Energy - Why East Rockingham Waste to Energy is vital for meeting the strategic targets in the Waste Strategy.
 - Kaustuv Pal – Ramboll - Eligibility for Renewable Energy Certificates in line with Renewable Energy Targets for the Australian Waste to Energy market.
 - Libby Chaplin – Battery Stewardship Council - Recharging Australia’s battery recovery industry with the launch of B-cycle, Australia’s first national stewardship scheme for used batteries.
 - Conversation Café.

- 14 People made 15-minute appointments with the different speakers:
- Ruben Geisler – Chairay.
 - Sharka Hornakvoa – Donut Waste.
 - Andrew Valder – Grow It Local.
 - Cara Watters – MRA.
 - Ciara Lowe-Thiedeman - Style Counsellor.
- 15 Day three commenced with a keynote address from Professor Peter Newman AO, followed by Mike Burns, Environmental Protection Division with a Resource Recovery national update.
- 16 Concurrent sessions on day three then followed, on a wide variety of topics as outlined below.
- Circular economy in the regions session included the following speakers:
- Eileen Breen – ntex (Virtual).
 - Ronan Cullen – Talis Consultants - Broome’s Holistic Approach to Community Engagement for its Regional Resource Recovery Park.
 - Bella Peardon – Shire of East Pilbara.
 - Janelle Osenton – Good Sammy Charities driving the circular economy in the regions.
- 17 Legislation and behaviour change session included the following speakers and topics:
- Ed Schuller – DWER.
 - Emma Syme and Michelle Hinman – City of Wanneroo - Illegal dumping prevention: Five years of community education and intervention impact through the tape/ flyer program.
 - Shannon Mead – No more butts, Getting ahead of the curve, Tackling an emerging litter threat, Vaping devices and products (Virtual).
 - Hiral Patel – South Burnett Regional Council - FOGO deep dive education project (Virtual).
 - Adam Faulkner – Green Economy Waste Management Precinct.
- 18 The above sessions were then followed by the Perfect Pitch and the Contracting Workshop.
- 19 The Perfect Pitch session, facilitated by Andrea Burns and provided entrepreneurs with an opportunity to test their bright ideas with the nominated ‘sharks’. Facilitated by Andrea Burns, the session included the following ‘sharks’:
- Gayle Sloan – WMRR.
 - Rebecca Cutter - Containers for Change.
 - Justin Pereira – Remondis.
 - Marcus Geisler – EMRC.
 - Anne Hallam – WALGA.
- 20 The Contracting Workshop, facilitated by Amy Hetherington included the following:
- Candice Myers and Allyson Mullane – Cleanaway - Cleanaway/Curtin University performance and outcomes-based waste management contracting - A Case Study.
 - Richard Paschke – MRA - The benefits of cost modelling when implementing new service systems.

- Deanne Ladle – Encycle - Providing and analysing data for the effective management of waste and recycling.
- Andrew Blitz – WALGA - An overview of the WALGA Preferred Supplier Program, including the new Waste and Energy Panel and model contract.

21 The conference was well organised, well attended and provided a good cross section of industry and agency examples all based around waste and resource recovery themes.

STRATEGIC/POLICY IMPLICATIONS

22 Key Result Area 1 – Environmental Sustainability
 1.5 To contribute towards improved regional air, water & land quality, regional biodiversity conservation and address climate change

FINANCIAL IMPLICATIONS

23 Conference registrations costs were included in the EMRCs annual operating budget.

SUSTAINABILITY IMPLICATIONS

24 The EMRC operates in pursuit of sustainability objectives which are integrated wherever possible in all activities undertaken by the organisation.

RISK MANAGEMENT

Risk – EMRC staff attend relevant forums		
Consequence	Likelihood	Rating
Possible	Unlikely	Low
Action/Strategy		
➤ Attendance at key forums ensures Councillors and staff continue to be apprised of industry related updates and to build their networks.		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Nil

6 CONFIDENTIAL MATTER FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing Meeting to the Public)

That with the exception of, the meeting be closed to members of the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR

6.1 EMRC REGIONAL WASTE COLLECTION SERVICE UPDATE (D2022/14641)

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

See Confidential Item circulated with the Agenda under Separate Cover.

6.2 EXTENSION PROPOSAL, RED HILL POWER FACILITY (D2022/15112)

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

See Confidential Item circulated with the Agenda under Separate Cover.

6.3 PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002 PERMANENT FOGO PROCESSING FACILITY (D2022/15118)

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

See Confidential Item circulated with the Agenda under Separate Cover.

6.4 ESTABLISHMENT AGREEMENT UPDATE (D2022/07300)

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature and Legal advice.

See Confidential Item circulated with the Agenda under Separate Cover.

RECOMMENDATION (Meeting Re-Opened to the Public)

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



7 FUTURE AGENDA BRIEFING FORUMS

The next meeting of Agenda Briefing Forum will be held on Thursday 10 November 2022 (if required) at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6.00pm.

Future Forums 2022

Thursday 10 November (if required) at EMRC Administration Office

8 DECLARATION OF CLOSURE OF MEETING