

ATTACHMENT TO AGENDA ITEM

Ordinary Meeting

18 March 2014

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DRAFT WASTE FORUM OPERATING GUIDELINES

These guidelines are based on those utilised by the Metropolitan Local Government Waste Management Forum.

Prior to the initial meeting of each regional Waste Forum, a preparatory meeting of local council representatives¹ are requested to meet, review and amend these guidelines as agreed, to enable them to be presented for formal adoption at the initial meeting.

Date of Adoption: xxx

1 The Goulburn Valley Waste and Resource Recovery Region Local Government Waste Forum

1.1 The Goulburn Valley Waste and Resource Recovery Group was established under the *Environment Protection Act* (the Act) in 2014 to deliver waste and resource recovery planning, procurement, education and project functions in the Goulburn Valley waste and resource recovery region.

1.2 The Act establishes a Local Government Waste Forum (the Forum) to support the effective operation of the Goulburn Valley Waste and Resource Recovery Group.

1.3 The Act states that the Forum is to consist of the representatives of the councils in the region. It states that each council may nominate a representative to the Forum.

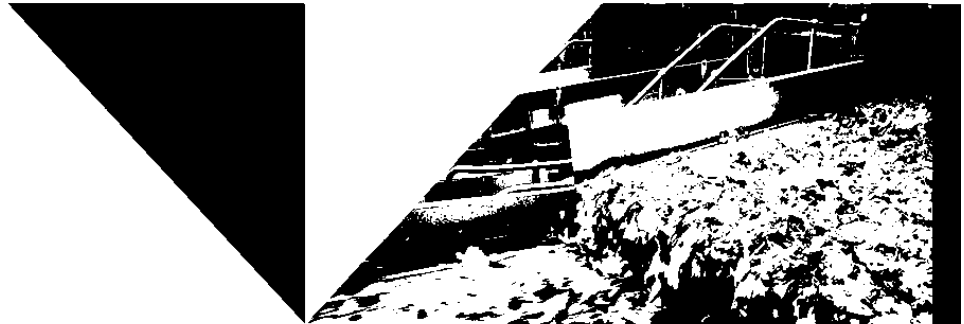
1.4 The Act states that the functions of the Forum are to:

1.4.1 nominate the 4 persons who are to be the representatives of the councils for the purposes of section 50BI(2)(a) of the Act;

1.4.2 if there is a vacancy in the office of a director nominated under section 50BI(2)(a), to nominate a person to fill that vacancy;

1.4.3 advise the Board of directors of the waste and resource recovery group on matters and issues affecting the role of councils in waste management and resource recovery;

¹ expected to be either nominated council representatives to a waste forum or, if these have not been endorsed by a council, the current RWMG board directors from councils in the proposed waste and resource recovery region



1.4.4 act as a conduit for consultation between the waste and resource recovery group and the councils in the waste and resource recovery region of that group.

1.5 The Act requires the Forum to develop procedures for functions 1.4.1 and 1.4.2 with the regional councils. These Operating Guidelines deliver on the requirements to develop these procedures and are the operating rules for the Forum.

2 Forum Aims

2.1 To develop local governments' capacity to deliver effective, efficient and sustainable waste and resource recovery planning and management across the Goulburn Valley Waste and Resource Recovery Region.

2.2 To engage with industry, government and community stakeholders to improve waste and resource recovery management and planning.

2.3 To assist the Goulburn Valley Waste and Resource Recovery Group Board to engage councils across the their region in the planning and management of waste.

2.4 To nominate four members to the Minister for Environment and Climate Change, for appointment to the Goulburn Valley Waste and Resource Recovery Group Board, in accordance with the Act.

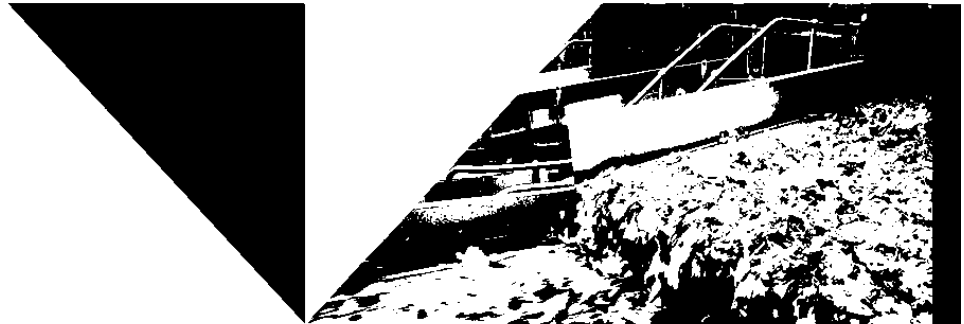
3 Forum Functions

3.1 To provide advice to the Goulburn Valley Waste and Resource Recovery Group Board on waste and resource recovery service and infrastructure planning and management, waste and resource recovery service procurement and contract management, waste and resource recovery education requirements, and waste and resource recovery project requirements, design and implementation.

3.2 To communicate across the local government sector waste management and resource recovery trends and technologies, and encourage information sharing on best practice.

3.3 To nominate four members to the Minister for Environment and Climate Change, for the Goulburn Valley Waste and Resource Recovery Group Board, in accordance with the Act.

3.4 To facilitate local government waste management and resource recovery initiatives.



4 Forum Membership

4.1 The member councils of the Forum are those defined as the municipal districts constituting the Goulburn Valley Waste and Resource Recovery Region in section 11 of the Act. The current members are listed below:

- Greater Shepparton City Council
- Moira Shire Council
- Strathbogie Shire Council
- Mitchell Shire Council
- Murrindindi Shire Council
- Campaspe Shire Council

5 Forum Representatives

5.1 Each member council shall nominate a Councillor as their Representative to the Forum.

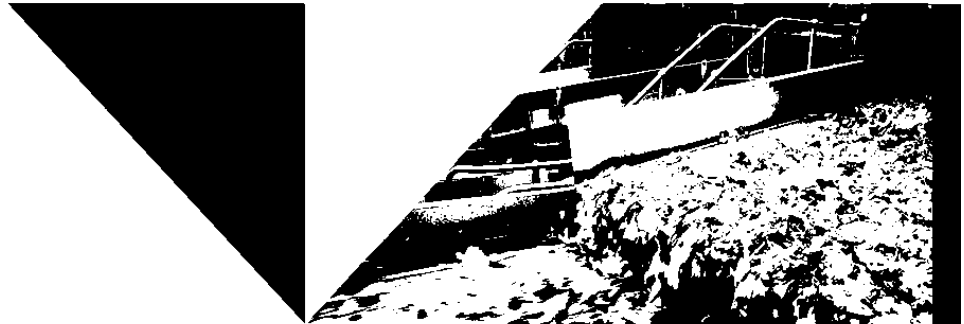
5.2 If a representative is unable to attend a Forum meeting they may nominate a Councillor or Advisory Member as proxy, in writing to the Chair of the Forum. This nomination shall be enduring if a Councillor is nominated until such time as it is revoked. If an Advisory Member is nominated, this nomination is for that specific meeting only.

5.3 Each member council may also nominate a staff member as an Advisory Member to the Forum. The Advisory Member is able to participate fully in all Forum proceedings and activities but does not hold a vote in the Forum unless acting as a proxy of the Forum Representative.

5.4 A Council may change its Representative, Proxy or Advisory Member to the Forum at any stage by letter to the Chair of the Forum.

5.5 A Council's Representative and Advisory Member to the Forum shall be confirmed at the member Council's Statutory meeting, then notified in writing to the Goulburn Valley Waste and Resource Recovery Group as soon as possible, and at the latest within one month.

5.6 The Municipal Association of Victoria, the Victorian Local Governance Association and the [name] Waste and Resource Recovery Group may send an observer to the meetings of the Forum. Other external parties may attend by invitation from the Forum.



5.7 The list of Representatives, Proxies and Advisory Members and their attendance to the Forum shall be administered and reported by the Goulburn Valley Waste and Resource Recovery Group in its role as secretariat to the Forum.

5.8 Representatives and Advisory Members are expected to attend each meeting. In the event that a member council is not represented by their Representative or proxy for three consecutive meetings, written notification by the secretariat shall be given to the council.

5.9 Attendance from a member council shall normally consist of the Representative and Advisory Member unless there is a particular reason for additional personnel to be invited.

6 Forum Operation

6.1 The Forum shall be an unincorporated entity of its member Councils.

6.2 The operation of the Forum shall be governed by these Operating Guidelines. These Operating Guidelines were adopted by the Forum by majority vote on the [insert date]. The Operating Guidelines shall be reviewed at least annually by the Forum at which a minimum of two thirds of representatives must support any amendment to the Operating Guidelines.

6.3 The Forum shall meet a minimum of [insert number] times a year. No normal meeting of the Forum is to be scheduled on the same night as an Ordinary meeting of any member Council.

6.4 For general business of the Forum the Quorum shall be [insert number] Representatives, or their Proxies, of the Forum.

6.5 The Forum shall nominate one of its Representatives as Chair of the Forum on an annual basis. The Chair shall convene meetings of the Forum and set the agenda in consultation with Forum Representatives.

6.6 The Forum shall establish an advisory reference group or other working groups as required to report back to the Forum. Terms of reference for each group are to be agreed by the Forum.

6.7 The Goulburn Valley Waste and Resource Recovery Group shall provide support to the Forum to enable it to perform its function as required by the Act.

7 The [name] Waste and Resource Recovery Group Board



7.1 Following notification to the Forum that Representatives are to be nominated to the Goulburn Valley Waste and Resource Recovery Group Board, or that a vacancy must be filled on the Goulburn Valley Waste and Resource Recovery Group Board, the Forum will appoint an independent Returning Officer.

7.2 The Returning Officer shall run an election for the four Forum board positions.

7.3 The Returning Officer shall seek nominations for the four positions. Representatives wishing to nominate for the Goulburn Valley Waste and Resource Recovery Board should attend the meeting where nominations are being called for. If not, they are to provide a proxy who has been approved by their council (as per section 5.2) who will state their nomination at the meeting and vote on their behalf. Goulburn Valley

7.3.2 A Representative may not endorse more than one Representative for election to the [name] Waste and Resource Recovery Group Board. On the receipt of nominations the Returning Officer shall conduct a proportional ballot. If there are no more than four nominations then no ballot is required and the four nominations are accepted.

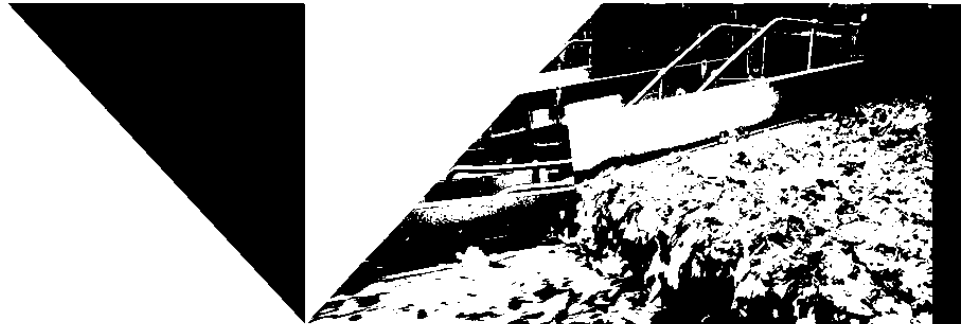
7.6 Should a local government member of the Goulburn Valley Waste and Resource Recovery Group Board cease to be a Representative of the Forum, the Forum may request that the Minister act to remove them from the Goulburn Valley Waste and Resource Recovery Group Board in accordance with statutory requirements.

7.7 Should the Forum have good reason, and four votes in favour, the Forum may request that the Minister act to remove a Representative from the Goulburn Valley Waste and Resource Recovery Group Board in accordance with statutory requirements. The Good Governance Code must be used to determine inappropriate behaviour which would constitute 'good reason' for the Forum to seek removal of a Goulburn Valley Waste and Resource Recovery Group Board member.

7.8 Where a vacancy is to be filled, the above provisions apply, adapted as necessary to the number of vacancies to be filled.

8 The Forum and the Goulburn Valley Waste and Resource Recovery Group Board

8.1 The Act states that a function of a waste and resource recovery group is to support its waste and resource recovery region's Local Government Waste Forum to enable the Forum to perform its functions.



8.2 The Act states that a function of a Forum is to advise the Board of directors of a waste and resource recovery group on matters and issues affecting the role of councils in waste management and resource recovery.

8.3 The Forum recognises that Goulburn Valley Waste and Resource Recovery Group Board members' responsibilities are defined in statute. Within these responsibilities, the Forum expects its nominated members to attend Forum meetings, respond to issues raised by the Forum and take issues raised by the Forum to the Goulburn Valley Waste and Resource Recovery Group Board.

8.4 If the Forum places a written proposal to the Goulburn Valley Waste and Resource Recovery Group Board, a written response outlining the Board 's position is expected.

9 The Forum and local government

9.1 Forum Representatives are expected to communicate the activities and actions of the Forum back to their Council.

9.2 Forum Representatives are expected to inform the Forum of issues and activities of their Council that contribute to the development of the Goulburn Valley Waste and Resource Recovery Region's waste management and resource recovery arrangements, via meetings of the Forum, any working groups of the Forum or the secretariat.

9.3 Local government is expected to raise waste management and resource recovery issues through the Forum in the first instance. The Goulburn Valley Waste and Resource Recovery Group Board will be expected to support this approach by referring approaches to the Forum when appropriate.

9.4 Minutes from each Forum meeting shall be provided to all member councils.

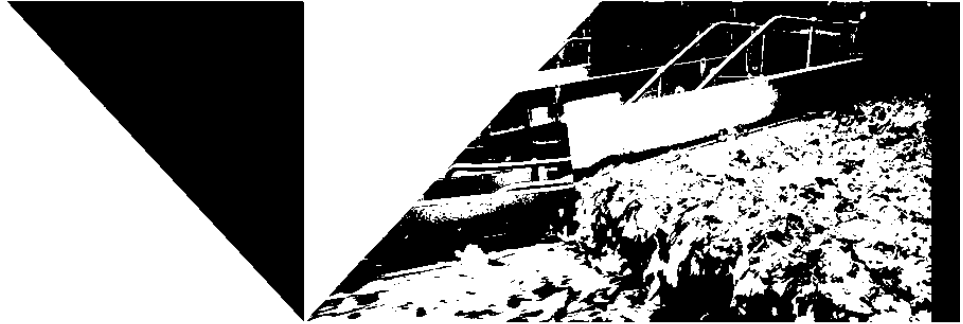
10 Meeting Procedures

10.1 Motions from Forum members can be put in writing prior to the meeting so that they can be circulated and considered OR from the floor.

10.1.1 Motion proposed, seconded and minuted

10.1.2 Motion discussed

10.1.3 Amendments (if any) agreed and minuted



10.1.4 Motion re-read with amendments and proposed

10.1.5 Votes for, against and abstentions minuted

Attachment

Relevant extracts from *Environment Protection Act 1970* (these will be provided by DEPI following parliamentary approval of amendments to this Act).

In the meantime, reference can be made to Division 2AB of the current Act, covering the Metropolitan Local Government Waste Forum and Metropolitan Waste Management Group.

«NAME»
Mayor
«COUNCIL»
«ADDRESS»
«TOWN_POST_CODE»

24th February 2014

Dear «FIRST_NAME»,

RE: UPCOMING FORUM MEETING AND DRAFT OPERATING GUIDELINES

I am writing to you to advise that I have now received formal direction from the Minister for Environment and Climate Change, the Hon. Ryan Smith to commence preparations to enable the cessation of the Goulburn Valley Regional Waste Management Group (Resource GV) operations by the 31 July 2014.

In line with the draft *Environment Protection and Sustainability Victoria Amendment Bill 2014*, the Minister has also directed that I work with local governments in the proposed Goulburn Valley Waste and Resource Recovery Region to conduct preliminary preparations for the change in governance structure to a Waste and Resource Recovery Group (WRRG) by the 1st of August 2014.

As part of these preparations I have been asked to begin preparations for the establishment of the Goulburn Valley Local Governments' Waste and Resource Recovery Forum. Local Government Forums will:

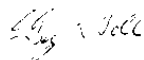
- have a statutory role to nominate to the Minister four local government representatives for appointment as Directors to the new Goulburn Valley Waste and Resource Recovery Board;
- develop procedures for the nominations of these persons or to fill vacancies in one of these positions;
- be a conduit for consultation between the new waste and resource recovery group and councils/resorts, and for advice to WRRG boards on matters and issues affecting the role of local governments in waste management and resource recovery.

I have attached draft operating guidelines for the Goulburn Valley Local Governments' Waste and Resource Recovery Forum. These were considered and endorsed by the Resource GV Board at their meeting on the 28th of February 2014. I would like to request that Council considers the draft operating guidelines and provides any comments or requested changes back to me by the 10th of April 2014.

The first meeting of the Goulburn Valley Local Government Waste and Resource Recovery Forum is scheduled for **Thursday the 24th of April 2014 at 10am** in [TBD]. It is anticipated that you will soon receive formal advice from the Minister on the method by which you will need to make your nomination to the Forum, once this is provided I will forward an official forum invite to all nominees.

Please feel free to contact me if you require any further information.

Yours sincerely



Greg Toll
Chair
Resource GV

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