

Certification of Confirmation

Special Meeting of Council

Minutes

10 April 2025

I, Cr Filomena Piffaretti, hereby certify that the minutes from the Ordinary Meeting of Council held on 10 April 2025 pages (1) to (41) were confirmed at the Ordinary Meeting of Council held on 22 May 2025.



Signature
Cr Filomena Piffaretti
Presiding Member

CONFIRMED MINUTES

D2025/07733

**Special Meeting of Council
10 April 2025**



EMRC Council Members

| | | |
|------------------------|-------------|--------------------|
| Cr Filomena Piffaretti | Chairperson | City of Bayswater |
| Cr Tallan Ames | EMRC Member | Town of Bassendean |
| Cr Paul Poliwka | EMRC Member | Town of Bassendean |
| Cr Michelle Sutherland | EMRC Member | City of Bayswater |
| Cr Luke Ellery | EMRC Member | Shire of Mundaring |
| Cr Doug Jeans | EMRC Member | Shire of Mundaring |
| Cr Jennifer Catalano | EMRC Member | City of Swan |
| Cr Charlie Zannino | EMRC Member | City of Swan |

EMRC Council Deputies

| | | |
|---------------------|--------------------|--------------------|
| Cr Kathryn Hamilton | EMRC Deputy Member | Town of Bassendean |
| Cr Giorgia Johnson | EMRC Deputy Member | City of Bayswater |
| Cr John Daw | EMRC Deputy Member | Shire of Mundaring |
| Cr Ian Johnson | EMRC Deputy Member | City of Swan |

Special Meeting of Council

10 April 2025

A Special Meeting of Council was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 on **Thursday 10 April 2025**. The meeting commenced at **6:05pm**.

Table of Contents

| | | |
|-----------|--|-----------|
| 1 | DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS | 4 |
| 1.1 | ACKNOWLEDGEMENT OF COUNTRY | 4 |
| 2 | ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED) | 4 |
| 3 | DISCLOSURE OF INTEREST | 5 |
| 3.1 | MR MATTHEW MACPHERSON [CHIEF EXECUTIVE OFFICER] – FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY | 5 |
| 4 | ANNOUNCEMENTS BY THE CHAIRPERSON OR PRESIDING MEMBER | 5 |
| 5 | PUBLIC QUESTION TIME | 5 |
| 6 | ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC | 5 |
| 8 | CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC | 6 |
| 8.1 | CHIEF EXECUTIVE OFFICER PROBATIONARY REVIEW PROCESS - 2025 (D2025/07191) | 6 |
| 7 | EMPLOYEE REPORTS | 7 |
| 7.1 | ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON (D2025/07117) | 8 |
| 7.2 | APPOINTMENT OF MEMBER TO THE AUDIT COMMITTEE AND LEGAL COMMITTEE (D2025/07134) | 16 |
| 7.3 | ESTABLISH A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE (D2025/07143) | 21 |
| 7.4 | FOOD WASTE FOR HEALTHY SOILS FUNDING FOR FOGO PROCESSING AT THE RED HILL WASTE MANAGEMENT FACILITY (D2025/07149) | 29 |
| 7.5 | CHIEF EXECUTIVE OFFICER ATTENDANCE AT WASTE 2025 CONFERENCE (D2025/07319) | 35 |
| 9 | FUTURE MEETINGS OF COUNCIL | 41 |
| 10 | DECLARATION OF CLOSURE OF MEETING | 41 |

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairperson opened the meeting at 6:00pm.

1.1 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged the traditional custodians of the land, the Whadjuk people of the Noongar Nation and paid respect to elders past, present and emerging.

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

Councillor Attendance

| | | |
|---|--------------------|--------------------|
| Cr Filomena Piffaretti | Chairperson | City of Bayswater |
| Cr Kathryn Hamilton <i>(deputising for Cr Ames)</i> | EMRC Deputy Member | Town of Bassendean |
| Cr Paul Poliwka | EMRC Member | Town of Bassendean |
| Cr Giorgia Johnson <i>(deputising for Cr Sutherland)</i> | EMRC Deputy Member | City of Bayswater |
| Cr John Daw <i>(deputising for Cr Ellery)</i> | EMRC Member | Shire of Mundaring |
| Cr Doug Jeans | EMRC Member | Shire of Mundaring |
| Cr Ian Johnson <i>(deputising for Cr Catalano)</i> | EMRC Deputy Member | City of Swan |
| Cr Charlie Zannino | EMRC Member | City of Swan |

Apologies

| | | |
|------------------------|-------------|--------------------|
| Cr Tallan Ames | EMRC Member | Town of Bassendean |
| Cr Michelle Sutherland | EMRC Member | City of Bayswater |
| Cr Luke Ellery | EMRC Member | Shire of Mundaring |
| Cr Jennifer Catalano | EMRC Member | City of Swan |

EMRC Officers

| | |
|-----------------------|--|
| Mr Matthew MacPherson | Chief Executive Officer |
| Mr Hua Jer Liew | Chief Financial Officer |
| Miss Carmen Sadleir | Chief Operating Officer |
| Mrs Wendy Harris | Chief Transformation Officer |
| Mr David Schmidt | Manager Information Services |
| Ms Theresa Eckstein | Executive Assistant to the Chief Executive Officer |
| Mrs Lee Loughnan | Council Support Officer (Minutes) |

EMRC Observers

| | |
|----------------|--------------------------------------|
| Mr Chris Snook | Information Services Support Officer |
|----------------|--------------------------------------|

Visitor(s)

Ms Natalie Lincolne

Senior Associate Consultant

Price Consulting Group

3 DISCLOSURE OF INTEREST**3.1 MR MATTHEW MACPHERSON [CHIEF EXECUTIVE OFFICER] – FINANCIAL INTERESTS AND INTERESTS AFFECTING IMPARTIALITY**

Item: 8.1

Subject: CHIEF EXECUTIVE OFFICER PROBATIONARY REVIEW PROCESS 2025

Nature of Interest: Subject matter of the report directly applies to the officer.

4 ANNOUNCEMENTS BY THE CHAIRPERSON OR PRESIDING MEMBER**4.1 WELCOME TO CR CHARLIE ZANNINO**

The Chairperson welcomed Cr Charlie Zannino back to Council as a member.

5 PUBLIC QUESTION TIME

Nil

6 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

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 report is covered in Section 8 of this agenda.

- Chief Executive Officer Probationary Review Process – 2025

The Chairperson advised to make the most of our consultant's time, that Confidential Item 8.1 be dealt with prior to Section 7 - Employee Reports.

The Chairperson called for a mover and seconder to change the order of business.

COUNCIL RESOLUTION

MOVED CR G JOHNSON

SECONDED CR DAW

THAT IN ACCORDANCE WITH CLAUSE 4.2 OF THE *EMRC MEETING PROCEDURE LOCAL LAWS 2023*, COUNCIL RESOLVES THAT CONFIDENTIAL ITEM 8.1 BE DEALT WITH PRIOR TO SECTION 7 OF THE AGENDA

CARRIED UNANIMOUSLY

Following the resolution, Section 8 is dealt with at this point of the meeting.

8 CONFIDENTIAL MATTERS 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

MOVED CR G JOHNSON

SECONDED CR ZANNINO

THAT WITH THE EXCEPTION OF MS NATALIE LINCOLNE AND COUNCIL SUPPORT OFFICER (MINUTES) 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.

CARRIED UNANIMOUSLY

The doors of the meeting were closed at 6:04pm.

Ms Natalie Lincolne and Council Support Officer remained in Council Chambers.

8.1 CHIEF EXECUTIVE OFFICER PROBATIONARY REVIEW PROCESS - 2025 (D2025/07191)

This item is recommended to be confidential because it contains matters affecting an employee and is to be treated as confidential in accordance with EMRC Policy 4.1 – Chief Executive Officer's Appointment, Performance Review and Termination Policy.

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 resolutions passed behind closed doors be recorded.

COUNCIL RESOLUTION(S)

MOVED CR PIFFARETTI

SECONDED CR HAMILTON

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.

CARRIED UNANIMOUSLY

The doors of the meeting were opened at 6:23pm.

Recording of the resolutions passed behind closed doors, namely:

8.1 CHIEF EXECUTIVE OFFICER PROBATIONARY REVIEW PROCESS - 2025 (D2025/07191)

COUNCIL RESOLUTION(S)

MOVED CR PIFFARETTI

SECONDED CR POLIWKA

THAT:

1. COUNCIL ENDORSES THE PERMANENT APPOINTMENT OF MR MATTHEW MACPHERSON AS THE CEO OF THE EMRC.
2. COUNCIL AUTHORISES THE CHAIRPERSON OF THE EMRC TO ADVISE THE CEO IN WRITING OF HIS PERMANENT APPOINTMENT TO THE ROLE.
3. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRPERSON AND CHIEF EXECUTIVE OFFICER.

CARRIED UNANIMOUSLY

7 EMPLOYEE REPORTS

7.1 ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON (D2025/07117)

7.2 APPOINTMENT OF MEMBER TO THE AUDIT COMMITTEE AND LEGAL COMMITTEE (D2025/07134)

7.3 ESTABLISH A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE (D2025/07143)

7.4 FOOD WASTE FOR HEALTHY SOILS FUNDING FOR FOGO PROCESSING AT THE RED HILL WASTE MANAGEMENT FACILITY (D2025/07149)

7.5 CHIEF EXECUTIVE OFFICER ATTENDANCE AT WASTE 2025 CONFERENCE (D2025/07319)

7.1 ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON

D2025/07117

PURPOSE OF REPORT

The purpose of this report is to provide for an election to be conducted for the Office of Deputy Chairperson of the EMRC.

KEY POINT(S)

- Clause 7.3(1) of the *EMRC Establishment Agreement* provides for the election of a Deputy Chairperson at the first meeting of the EMRC Council following the day on which biennial ordinary elections to elect councillors to the participants are held. The Deputy Chairperson elected is to hold office until the election of a new Deputy Chairperson.
- Cr Aaron Bowman was appointed as Deputy Chairperson on 9 November 2023.
- Cr Bowman has resigned as Councillor on the EMRC effective 31 March 2025.
- As a result, the office of the Deputy Chairperson is vacant and in accordance with clause 7.3(2) of the *EMRC Establishment Agreement* a new Deputy Chairperson is required to be elected.

RECOMMENDATION(S)

That the members of the Council elect a Deputy Chairperson by secret ballot.

SOURCE OF REPORT

- AUTHOR(S): CHIEF FINANCIAL OFFICER
- RESPONSIBLE OFFICER: CHIEF FINANCIAL OFFICER
- EMPLOYEE DISCLOSURE UNDER SECTION 5.70 LOCAL GOVERNMENT ACT 1995:
 - ⇒ Nil

BACKGROUND

- 1 The *EMRC Establishment Agreement* provides for the election of a Deputy Chairperson at the first meeting of the EMRC Council following the day on which biennial ordinary elections to elect councillors to the participants are held. The Deputy Chairperson elected is to hold Office until the election of a new Deputy Chairperson.
- 2 Cr Aaron Bowman resigned as a Councillor on the EMRC effective 31 March 2025.
- 3 It is a requirement of Schedule 2.3 of the *Local Government Act 1995* that the election is conducted by the Chairperson and the nominations for the Office of Deputy Chairperson are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations. Furthermore, if a member is nominated by another member the CEO is not to accept the nomination unless the nominee has advised the CEO orally or in writing that he or she is willing to be nominated for the Office. Members are to vote on the matter by secret ballot.

REPORT

- 4 Following Cr Aaron Bowman's resignation, the office of the Deputy Chairperson is vacant.
- 5 In accordance with clause 7.3(2) of the *EMRC Establishment Agreement*, if the office of the Deputy Chairperson becomes vacant, then the members of the EMRC Council shall elect a new Deputy Chairperson.
- 6 The Chairperson will conduct the election of the Deputy Chairperson.
- 7 The following material accompanies the agenda for this meeting as a means of assisting members of the Council to nominate themselves or another member for the Deputy Office of Chairperson:
1. A blank nomination form for the Office of Deputy Chairperson, nominate oneself;
 2. A blank nomination form for the Office of Deputy Chairperson, nominate another;
 3. A draft blank ballot paper for Election of EMRC Deputy Chairperson; and
 4. A draft blank form for declaration by Elected Deputy Chairperson.
- 8 A list of the Members who have been appointed to the EMRC Council, (as available from member Councils at the time of preparing this report), is also included in this report.
- 9 The completed nomination forms are to be given to the CEO before or when the CEO calls for them when dealing with this item at the meeting.
- 10 Following election, the Deputy Chairperson will make a declaration of office.

11 **EMRC MEMBERS 2023 - 2025**

The following Councillors have been appointed by member Councils to the EMRC:

| | |
|------------------------|--------------------|
| Cr Tallan Ames | Town of Bassendean |
| Cr Paul Poliwka | Town of Bassendean |
| Cr Filomena Piffaretti | City of Bayswater |
| Cr Michelle Sutherland | City of Bayswater |
| Cr Luke Ellery | Shire of Mundaring |
| Cr Doug Jeans | Shire of Mundaring |
| Cr Jennifer Catalano | City of Swan |
| Cr Charlie Zannino | City of Swan |

- 12 The following Councillors have been appointed to deputise for Members appointed to the EMRC:

| | |
|---------------------|--------------------|
| Cr Kathryn Hamilton | Town of Bassendean |
| Cr Giorgia Johnson | City of Bayswater |
| Cr John Daw | Shire of Mundaring |
| Cr Ian Johnson | City of Swan |

STRATEGIC/POLICY IMPLICATIONS

- 13 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy:

Target - Sustainability integrated into management processes.

FINANCIAL IMPLICATIONS

- 14 Nil

SUSTAINABILITY IMPLICATIONS

- 15 Nil

RISK MANAGEMENT

Risk Failure to elect and appoint a Deputy Chairperson will impact on fulfilling the Chairperson's role in the event the Chairperson is unavailable

| Consequence | Likelihood | Rating |
|------------------------------|------------|----------|
| Moderate | Unlikely | Moderate |
| Action/Strategy | | |
| ➤ Elect a Deputy Chairperson | | |

MEMBER COUNCIL IMPLICATIONS

Member Council

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

Implication Details

Nil

ATTACHMENT(S)

1. A blank Nomination Form for the Office of Deputy Chairperson, nominate oneself (D2025/07120)
2. A blank Nomination Form for the Office of Deputy Chairperson, nominate another (D2025/07120)
3. A blank ballot Paper for Election of EMRC Deputy Chairperson (D2025/07121)
4. Declaration by Elected Deputy Chairperson (D2025/07122)

VOTING REQUIREMENT

Secret Ballot

RECOMMENDATION(S)

That the members of the Council elect a Deputy Chairperson by secret ballot.



The CEO advised that two (2) nominations for the Office of Deputy Chairperson of the EMRC had been received from Cr Paul Poliwka and Cr Charlie Zannino and called for further nominations.

No further nominations were received and the CEO closed nominations.

The CEO invited candidates who wish to exercise their right to appoint scrutineers to observe the conduct of the election at close hand.

Councillors agreed to not appoint scrutineers.

Following an invitation from the CEO, Cr Poliwka and Cr Zannino addressed Council.

The Chief Executive Officer explained the procedure for the election of the Deputy Chairperson and advised that candidate names would be listed on the ballot paper in alphabetical order.

Candidate names were listed on the ballot paper.

The CEO authenticated the ballot papers in the prescribed form as set out in *Regulation 11b Local Government (Constitution) Regulations 1998*.

A secret ballot was then conducted for the two (2) nominations received and votes counted by the Chief Executive Officer and Chief Financial Officer.

ANNOUNCEMENT: OF THE OFFICE OF DEPUTY CHAIRPERSON

The CEO declared Cr Poliwka, as Deputy Chairperson of the EMRC for the term commencing 10 April 2025 until the appointment of the new Deputy Chairperson following the Local Government Elections.

Cr Daw departed the Chamber at 6:35pm.

Cr Poliwka came forward and made his Declaration of Office.

Cr Poliwka was congratulated.

Cr Daw returned to the Chamber at 6:37pm.



EASTERN METROPOLITAN REGIONAL COUNCIL

Nomination for Deputy Chairperson

To the Chief Executive Officer

I hereby nominate myself, _____
for the position of Deputy Chairperson of the Eastern Metropolitan Regional Council for the term of Office commencing on the date of the election and continuing until a new Deputy Chairperson is elected in accordance with Clause 7.4 of the EMRC Establishment Agreement.

Signed

Date

Please return the completed form to _____



EASTERN METROPOLITAN REGIONAL COUNCIL

Nomination for Deputy Chairperson

To the Chief Executive Officer

I hereby nominate _____
for the position of Deputy Chairperson of the Eastern Metropolitan Regional Council for the term of Office commencing on the date of the election and continuing until a new Deputy Chairperson is elected in accordance with Clause 7.4 of the EMRC Establishment Agreement.

Signed

Date

* I _____ hereby certify that I accept the above nomination to the
the position of Deputy Chairperson of the Eastern Metropolitan Regional Council.

Signed

Date

* This certificate is to be completed when a Representative is nominated by another Representative.

Please return the completed form to _____



EASTERN METROPOLITAN REGIONAL COUNCIL

10 April 2025

Ballot Paper for the Election of the EMRC Deputy Chairperson

How to Vote

(If there are 2 candidates)

Write the number 1 in the square next to the name of the candidate you want to vote for.

(If there are 3 or more candidates)

Write the number 1 in the square next to the name of the candidate who is your first choice.

If you want to, you may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of your choice, starting with the number 2 up to the number of candidates listed below.

You do not need to write a number in all the squares.

Do not make any other marks on the Ballot Paper

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐

Cr First Name, Last Name

☐



Local Government Act 1995
Local Government (Constitution) Regulations 1998

Declaration by Elected Deputy Chairperson

I _____ of _____
have been elected to the Office of Deputy Chairperson of the Eastern Metropolitan Regional Council, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgement and ability, and will observe the *Local Government (Model Code of Conduct) Regulations 2021*.

Declared at the EMRC Administration Office
1st Floor
226 Great Eastern Highway
Ascot WA 6104

10 April 2025

Signed

Date

Witness

Date

7.2 APPOINTMENT OF MEMBER TO THE AUDIT COMMITTEE AND LEGAL COMMITTEE

D2025/07134

PURPOSE OF REPORT

The purpose of this report is to appoint a member to the Audit Committee and Legal Committee.

KEY POINT(S)

- The appointment of deputy and second deputy members to committees provides the opportunity for a committee member to be represented when he or she is unable to attend.
- Following the last local government elections, Cr Aaron Bowman from the City of Swan was appointed as the council member on the Audit Committee and the deputy council member on the Legal Committee at the Special Meeting of Council held on 9 November 2023.
- Cr Bowman has resigned from the EMRC Council resulting in a vacant member position to the Audit Committee and vacant deputy member position in the Legal Committee.
- Cr Charlie Zannino has been appointed by the City of Swan as its replacement member of the EMRC Council.
- Accordingly, appointment of the member to fill the vacancies is now before Council for its approval, by absolute majority in accordance with s.5.10 of the *Local Government Act 1995*.

RECOMMENDATION(S)

That Council by absolute majority, in accordance with section 5.10 of the *Local Government Act 1995*, Cr Charlie Zannino be formally appointed as:

1. The member of the Audit Committee; and
2. The deputy member of the Legal Committee.

SOURCE OF REPORT

- AUTHOR(S): CHIEF FINANCIAL OFFICER
- RESPONSIBLE OFFICER: CHIEF FINANCIAL OFFICER
- EMPLOYEE DISCLOSURE UNDER SECTION 5.70 *LOCAL GOVERNMENT ACT 1995*:

⇒ Nil

BACKGROUND

1 Audit Committee (AC):

Established: 19 May 2005.

Membership: Membership of the Committee is comprised of one (1) Councillor from each member Council.

Meetings: The Committee meets as required at the discretion of the Chairperson of the Committee at least three (3) times per year to coincide with approval of the strategic and annual plans, the annual budget, the annual Compliance Audit Return and the auditor's report on the annual financial report.

Terms of Reference: To assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of controls and facilitating the organisation's ethical development.

2 On 9 November 2023, Council resolved as follows (D2023/32555):

THAT BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 5.10 OF THE LOCAL GOVERNMENT ACT 1995, THE FOLLOWING COUNCILLORS BE APPOINTED AS MEMBERS AND DEPUTY MEMBERS TO THE AUDIT COMMITTEE:

| PARTICIPANT LOCAL GOVERNMENT | COMMITTEE MEMBER | DEPUTY MEMBER | SECOND DEPUTY MEMBER |
|---------------------------------|------------------|---------------|-------------------------|
| BASSENDAN | CR POLIWKA | CR AMES | CR HAMILTON |
| BAYSWATER | CR SUTHERLAND | CR PIFFARETTI | CR G JOHNSON |
| MUNDARING | CR JEANS | CR ELLERY | CR DAW |
| SWAN | CR BOWMAN | CR CATALANO | CR I JOHNSON |

3 Legal Committee (LC):

Established: 8 February 2021.

Membership: The Legal Committee will comprise of Council members and Deputy members as appointed by Council.

Meetings: The Legal Committee shall meet as required, in person or electronically, convened at the discretion of the Chairperson.

Terms of Reference

- Report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

- b. Carry out its functions and fulfil its responsibilities as required by the *Local Government Act 1995* and associated regulations, guidelines and protocols of the Council which are relevant to the Committee
- c. The Legal Committee will only have those executive powers as specifically delegated to it.

4 On 9 November 2023, Council resolved as follows (D2023/32556):

THAT BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 5.10 OF THE LOCAL GOVERNMENT ACT 1995, THE FOLLOWING COUNCILLORS BE APPOINTED AS MEMBERS TO THE LEGAL COMMITTEE:

| PARTICIPANT LOCAL GOVERNMENT | COMMITTEE MEMBER | DEPUTY MEMBER | SECOND DEPUTY MEMBER |
|---------------------------------|------------------|---------------|-------------------------|
| BASSENDEN | CR POLIWKA | CR AMES | CR HAMILTON |
| BAYSWATER | CR SUTHERLAND | CR PIFFARETTI | CR G JOHNSON |
| MUNDARING | CR ELLERY | CR JEANS | CR DAW |
| SWAN | CR CATALANO | CR BOWMAN | CR I JOHNSON |

REPORT

- 5 The appointment of deputy members to committees provides the opportunity for a committee member to be represented when he or she is unable to attend. Council Policy 2.1 allows for a deputy to be appointed for each committee member. The appointment of deputies is also recommended as a means of ensuring a quorum is present to allow for the orderly flow of business.
- 6 The deputy councillor members of the AC and LC will automatically be the other Councillor member of each participant member Council.
- 7 The second deputy councillor members of the AC and LC will automatically be the deputy councillor member of each participant member Council.
- 8 In the event that the Committee member is unable to attend a meeting, he or she is to organise with the deputy Committee member from the same participant member Council to attend in his or her place as well as notify the EMRC.
- 9 Cr Aaron Bowman has resigned from the EMRC effective 31 March 2025.
- 10 Section 5.11(1)(b) of the *Local Government Act 1995* provides that the membership of a committee continues until the person resigns from the committee.
- 11 Consequently, following Cr Bowman's resignation there is a vacancy for the position of a council member position for the AC as well as a deputy council member position for the LC.
- 12 Therefore it is recommended that Cr Charlie Zannino shall fill these vacancies.

STRATEGIC/POLICY IMPLICATIONS

- 13 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy:

Target - Sustainability integrated into management processes.

FINANCIAL IMPLICATIONS

- 14 Nil

SUSTAINABILITY IMPLICATIONS

- 15 Nil

RISK MANAGEMENT

Risk – Failure to appoint members to the Audit Committee will result in a breach of the requirement of s.7.1A of the *Local Government Act 1995*

| Consequence | Likelihood | Rating |
|--|------------|----------|
| Moderate | Unlikely | Moderate |
| Action/Strategy | | |
| ➤ Formal appointment to the Audit Committee and Legal Committee of Cr Charlie Zannino representing the City of Swan. | | |

MEMBER COUNCIL IMPLICATIONS

Member Council

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

Implication Details

Nil

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Absolute Majority



RECOMMENDATION(S)

That Council by absolute majority, in accordance with section 5.10 of the *Local Government Act 1995*, Cr Charlie Zannino be formally appointed as:

1. The member of the Audit Committee; and
2. The deputy member of the Legal Committee.

COUNCIL RESOLUTION(S)

MOVED CR I JOHNSON

SECONDED CR HAMILTON

THAT COUNCIL BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 5.10 OF THE *LOCAL GOVERNMENT ACT 1995*, CR CHARLIE ZANNINO BE FORMALLY APPOINTED AS:

1. THE MEMBER OF THE AUDIT COMMITTEE; AND
2. THE DEPUTY MEMBER OF THE LEGAL COMMITTEE.

CARRIED UNANIMOUSLY

7.3 ESTABLISH A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

D2025/07143

PURPOSE OF REPORT

The purpose of this report is for Council to establish a Chief Executive Officer Performance Review Committee (CEOPRC) to assist Council with the performance review of the new CEO; and to appoint members to the Committee.

KEY POINT(S)

- The CEOPRC is proposed to be re-established in accordance with section 5.8 of the *Local Government Act 1995* to administer the CEO's annual performance review process.
- It is intended that any matters in relation to the CEO's performance review which ordinarily would be referred to the CEOPRC first can be referred directly to Council. Therefore, there is no further requirement for the CEOPRC to continue.

RECOMMENDATION(S)

That Council:

1. By absolute majority in accordance with s.5.8 of the *Local Government Act 1995* establishes a Chief Executive Officer Performance Review Committee, with Terms of Reference forming the attachment of this report.
2. By absolute majority in accordance with s.5.10 of the *Local Government Act 1995*, the following Councillors be appointed to the Chief Executive Officer Recruitment Committee:

Council Member

Cr

Cr

Cr

Cr

3. Authorises the Chairperson to call the first meeting of the Chief Executive Officer Performance Review Committee to be held at an appropriate date and time, at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway Ascot.

SOURCE OF REPORT

- AUTHOR(S): CHIEF FINANCIAL OFFICER
- RESPONSIBLE OFFICER: CHIEF FINANCIAL OFFICER
- EMPLOYEE DISCLOSURE UNDER SECTION 5.70 LOCAL GOVERNMENT ACT 1995:

⇒ Nil

BACKGROUND

- 1 In accordance with Section 5.38 of *Local Government Act 1995* (the Act), each employee, including the CEO, who is employed for a term of more than one year, is to be reviewed at least once in relation to every year of employment.
- 2 This is reinforced in the CEO's Contract of Employment.

REPORT

- 3 In consultation with the CEO and Chairperson, it has been suggested that for the CEO's probationary review and future annual performance review currently undertaken by the full Council, consideration should be given to the formation of a committee to assist Council with the reviews.
- 4 It is proposed that a Chief Executive Performance Review Committee (CEOPRC) be re-established pursuant to section 5.8 of the Act to conduct an annual review of the CEO's performance, remuneration, contract terms and conditions, with the assistance of an external facilitator.
- 5 Its objective is to ensure that the review of performance of the CEO for the EMRC is undertaken in accordance with the provisions of the Act and the *Local Government (Administration) Regulations 1996* and EMRC's policies.
- 6 The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality.
- 7 Accordingly, the Terms of Reference for the Chief Executive Officer Performance Review Committee (CEOPRC) would be to:
 - a Review the CEO's performance in accordance with the appropriate provisions contained within the CEO's Contract of Employment and agreed performance objectives.
 - b Prepare and table the concluded Performance Review Report to the Council for consideration and actioning.
 - c Review the CEO's performance on an on-going basis if the Council or the CEO perceives that there is a need to do so.
 - d Determine the Performance Objectives to be met by the CEO for the following year and refer them to Council for consideration and actioning.
 - e Review the CEO's remuneration package, in accordance with the appropriate provisions of the CEO's Contract of Employment and refer the recommendations to Council for consideration and actioning.
 - f Review the CEO's Contract of Employment and make recommendations to Council in relation to varying the contract as and when necessary.
- 8 In accordance with s.5.8 of the *Local Government Act 1995* (the Act), a local government may establish committees of 3 or more persons to assist the Council.
- 9 It is recommended that the EMRC Chairperson be appointed to the CEOPRC.
- 10 Following completion of the CEO Performance Review process utilising a committee of Council, it would be worthwhile evaluating this methodology against the previous process detailed in Council Policy 4.1 - CEO Appointment, Performance Review and Termination and making any necessary changes, to reflect the preferred system of review.

STRATEGIC/POLICY IMPLICATIONS

- 11 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy.

FINANCIAL IMPLICATIONS

- 12 Councillor attendance fees are provided for in the approved Annual Budget.

SUSTAINABILITY IMPLICATIONS

- 13 Nil

RISK MANAGEMENT

Risk – One of the fundamental roles of Council being review of CEO's performance is not fulfilled in accordance with principles of fairness, integrity and impartiality.

| Consequence | Likelihood | Rating |
|--|------------|--------|
| Moderate | Likely | High |
| Action/Strategy | | |
| ➤ Council to resolve and establish the Chief Executive Officer Performance Review Committee to assist Council with the performance review. | | |

MEMBER COUNCIL IMPLICATIONS

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

ATTACHMENT(S)

CEOPRC Terms of Reference (D2025/07144)

VOTING REQUIREMENT

Absolute Majority



RECOMMENDATION(S)

That Council:

1. By absolute majority in accordance with s.5.8 of the *Local Government Act 1995* establishes a Chief Executive Officer Performance Review Committee, with Terms of Reference forming the attachment of this report.
2. By absolute majority in accordance with s.5.10 of the *Local Government Act 1995*, the following Councillors be appointed to the Chief Executive Officer Recruitment Committee:

Council Member

Cr

Cr

Cr

Cr

3. Authorises the Chairperson to call the first meeting of the Chief Executive Officer Performance Review Committee to be held at an appropriate date and time, at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway Ascot.

The Chairperson called for a mover and seconder for the officer recommendation to allow for questions.

Cr Daw moved the motion and Cr I Johnson seconded.

Cr Hamilton queried whether it was necessary to have four members on the CEOPRC as three members would be adequate.

The CFO confirmed that the Act allows for three Committee members as a minimum.

The Chairperson called for nominations.

Following discussion, the Chairperson put the motion to the vote.



COUNCIL RESOLUTION(S)

MOVED CR DAW

SECONDED CR I JOHNSON

THAT COUNCIL:

1. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.8 OF THE *LOCAL GOVERNMENT ACT 1995* ESTABLISHES A CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE, WITH TERMS OF REFERENCE FORMING THE ATTACHMENT OF THIS REPORT.
2. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.10 OF THE *LOCAL GOVERNMENT ACT 1995*, THE FOLLOWING COUNCILLORS BE APPOINTED TO THE CHIEF EXECUTIVE OFFICER RECRUITMENT COMMITTEE:

COUNCIL MEMBER

CR FILOMENA PIFFARETTI

CR PAUL POLIWKA

CR CHARLIE ZANNINO

CR KATHRYN HAMILTON

3. AUTHORISES THE CHAIRPERSON TO CALL THE FIRST MEETING OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE TO BE HELD AT AN APPROPRIATE DATE AND TIME, AT THE EMRC ADMINISTRATION OFFICE, 1ST FLOOR, 226 GREAT EASTERN HIGHWAY ASCOT.

CARRIED UNANIMOUSLY



Terms of Reference

Chief Executive Officers Performance Review Committee

1 Objectives of Committee

The Chief Executive Officers Performance Review Committee (CEOPRC) is a formally appointed committee of Council and is responsible to that body. It has been established to conduct an annual review of the Chief Executive Officer's (CEO) performance, remuneration, contract terms and conditions, with the assistance of an external facilitator.

2 Responsibilities

To ensure that the review of performance of the Chief Executive Officer (CEO) for the EMRC is undertaken in accordance with the provisions of the *Local Government Act (1995)* and *Local Government (Administration) Regulations 1996* and EMRC's policies.

3 Duties

The duties of the Committee will include the following:

- (a) Review the Chief Executive Officer's (CEO) performance with the appropriate provisions contained within the CEO's Contract of Employment and agreed performance objectives;
- (b) Prepare and table the concluded Performance Review Report to the Council for consideration and actioning;
- (c) Review the CEO's performance on an on-going basis if the Council or the CEO perceives that there is a need to do so;
- (d) Determine the Performance Objectives to be met by the CEO for the following year and refer them to Council for consideration and actioning;
- (e) Review the CEO's remuneration package, in accordance with the appropriate provisions of the CEO's Contract of Employment and refer the recommendations to Council for consideration and actioning;
- (f) Review the CEO's Contract of Employment and make recommendations to council in relation to varying the contract as and when necessary; and
- (g) Appoint a consultant to assist it in its functions.

4 Membership

- 4.1 The Committee will comprise of at least 3 Councillors
- 4.2 The Committee will include the EMRC Chairperson.
- 4.3 The Committee will have no deputy members.
- 4.4 Members will be appointed for a period of two years following each ordinary Council election.

5 Meetings

- 5.1 The Committee shall hold regular meetings at such times and on such days as the Council may determine by resolution.
- 5.2 Additional meetings will be convened at the discretion of the Chairperson.

6 Operating Procedures

- 6.1 All meetings of the Committee are to be conducted in accordance with the *Local Government Act 1995*, associated Regulations and the *EMRC Meeting Procedures Local Law 2023*.
- 6.2 A quorum for a meeting of the Committee shall be at least 50% of the number of offices (whether vacant or not) of member of the Committee.
- 6.3 Voting
 - (a) All decisions of the Committee shall be made on the basis of a simple majority decision of the members present or, if another kind of majority has been prescribed by regulations for the particular kind of decision, by that kind of majority.
 - (b) If the decision results in a tied vote, the person presiding is to cast a second vote.
 - (c) Persons other than Committee members are not entitled to cast a vote.
 - (d) All other aspects related to voting procedure shall be consistent with relevant sections of the *EMRC Meeting Procedures Local Law 2023*.
- 6.4 Other EMRC staff may attend meetings, at the discretion of the Chief Executive Officer, to provide advice and information when required.

7 Reporting

- 7.1 The Committee shall after every meeting forward the minutes of that meeting to the next Ordinary Meeting of Council, including a report explaining any specific recommendations and key outcomes.
- 7.2 The item of Council business referred to in relation to this is to be treated as confidential in accordance with s.5.23(2) of the *Local Government Act 1995*, r.14(2) of the *Local Government (Administration) Regulations 1996*, clause 5.13 of *EMRC Meeting Procedures Local Law 2023* and Council's Policy for dealing with confidential items.

8 Delegated Power

- 8.1 The Committee has no delegated powers and no authority to implement its recommendations.

Related Documentation

Policy 1.5 Meeting Agenda/Minutes - Confidential Items Policy

Policy 2.1 Committees of Council

Policy 4.1 Chief Executive Officer - Appointment, Performance Review and Termination Policy

EMRC Meeting Procedures Local Law 2023

EMRC Code of Conduct



Administration

Adopted | Reviewed by Council

10 April 2025

Next Review

Following the Local Government Ordinary Elections in 2027

Responsible Business Unit

Business Support

7.4 FOOD WASTE FOR HEALTHY SOILS FUNDING FOR FOGO PROCESSING AT THE RED HILL WASTE MANAGEMENT FACILITY

D2025/07149

PURPOSE OF REPORT

The purpose of this report is to seek Council's continued commitment to the Food Waste for Healthy Soils funding for FOGO processing at the Red Hill Waste Management Facility as outline in this report.

KEY POINT(S)

- The EMRC applied for funding from both the State and Federal governments through the Food Waste for Healthy Soils grant process.
- The EMRC was notified by the Department of Water and Environmental Regulation (DWER) of an impending visit and announcement of the EMRC's successful funding application of \$2M.
- The Deed of Grant was signed prior to the Federal Minister for the Environment's visit on 4 May 2023
- The EMRC has continued to liaise with DWER to amend the milestones and project scope to best meet the needs of the EMRC.

RECOMMENDATION(S)

That Council re-affirms its commitment to the Food Waste for Healthy Soils project for FOGO processing at the Red Hill Waste Management Facility, as outlined in the body of this report and its attachment.

SOURCE OF REPORT

- AUTHOR(S) CHIEF SUSTAINABILITY OFFICER
- RESPONSIBLE OFFICER(S) CHIEF EXECUTIVE OFFICER | CHIEF SUSTAINABILITY OFFICER
- EMPLOYEE DISCLOSURE UNDER SECTION 5.70 LOCAL GOVERNMENT ACT 1995:
⇒ Nil

BACKGROUND

- 1 This project was first mooted back in December 2021 when the EMRC initially submitted an EOI to DWER for \$28M in funding to construct a large scale anaerobic FOGO processing facility with an overall value of \$85M capable of processing up to 100,000t of FOGO. This project did not proceed due to changing financial circumstances, including the reduced offer from the State and Commonwealth governments to a maximum combined total of \$2M in funding.
- 2 Since that time the proposal has been scaled back with alternative options proposed including value of the project, EMRC's financial commitment, tonnages and revised completion date.
- 3 The EMRC resubmitted its application in 2022/2023 for funding from both the State and Federal governments through the Food Waste for Healthy Soils grant process with revised scaled-back project and was notified by the Department of Water and Environmental Regulation of the impending visit by the Federal Minister for the Environment to the Red Hill Waste Management Facility for a media announcement.
- 4 The Minister, at a media launch at Red Hill on 4 May 2023, announced the EMRC's successful funding application of \$2M (\$1M State and \$1M Commonwealth contributions) as part of a \$18M project for FOGO processing.

5 The EMRC began processing the Food Organics and Garden Organics (FOGO) from the Town of Bassendean in August 2020 and from the City of Bayswater in March 2021 with a current license at that time to process up to 15,000t.

6 Council, at its meeting of 25 May 2023, resolved as follows (Ref:2023/10490):

MOVED CR JOHNSON

SECONDED CR DAW

THAT COUNCIL ENDORSES THE EMRC'S FOOD WASTE FOR HEALTHY SOILS DEED OF GRANT FOR FOGO PROCESSING AT THE RED HILL WASTE MANAGEMENT FACILITY.

CARRIED UNANIMOUSLY

REPORT

7 In July 2024 the Shire of Mundaring and City of Swan commenced their FOGO rollouts which increase the volume of FOGO material being present to the RHWMF for processing. This increase in FOGO material necessitated the EMRC to apply for a licence amendment for the facility from 20,000T per annum to 30,000T per annum. The licence amendment was recently granted by DWER which now allows the EMRC to expand its FOGO processing capacity to 30,000T ensuring it meets current business processing requirements and statutory compliance obligations.

8 The recently awarded licence amendment also included enlarging the FOGO processing area footprint, adding three additional Mobile Aerated Floor systems (MAFS) and a concrete pad for the installation of the FOGO Picking station. All these components form part of the EMRC's \$1M financial contribution, as outlined in the DWER grant variation correspondence.

9 EMRC staff have liaised with DWER to allow for the State and Commonwealth funding to be allocated to fund a large-scale roofing structure. This structure will ensure the moisture content of the more advanced windrows of FOGO material to be kept stable, allowing it to be processed through the 5mm screen throughout the winter months.

10 During FOGO processing it is important that the material remaining in a dampened state to encourage the composting process however if the material becomes waterlogged by excessive rains the material can become anaerobic leading to odour emissions. The increase processing area footprint and proposed roof structure will allow the operation teams to more effectively manage the EMRC's FOGO processing operations.

11 Stabilising the moisture content of the FOGO material will also assist in speeding up the composting processing time to around 16 weeks, instead of the current estimate of around 24 weeks to process the FOGO material.

12 The Operations Team at the Red Hill Waste Management Facility has worked to perfect the processing in open windrows, which has proved challenging when dealing with the elements and also when dealing with reducing the level of contamination of the FOGO material.

13 DWER has agreed in principle to the change of purpose from the original Grant Deed and a copy of this correspondence is attached.

14 In the correspondence from DWER, dated 20 March 2025 they advised that the EMRC's variation request is conditionally supported, subject to the EMRC confirming its commitment to a range of contractual obligations, including:

- Evidence of securing the balance of funds (\$1 million) toward the construction and operation of the facility to be provided.

- 15 In light of the above the EMRC is seeking Council reaffirm its continued commitment, to a maximum of \$1M, to the Food Waste for Healthy Soils funding for FOGO processing at the Red Hill Waste Management Facility.

STRATEGIC/POLICY IMPLICATIONS

- 16 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy:

- Goal: To Demonstrate Circular Economy Leadership
Target: 80% resource recovery of waste generated in the region by 2030
- Goal: To Respond to a Climate Emergency
Target: Infrastructure adaptation and education by 2030
Target: Below zero emissions by 2040
- Goal: Reduce our Environmental Impact
Target: Environmental management system
- Goal: To Create Value in the Community
Target: Source separation by 2027

FINANCIAL IMPLICATIONS

- 17 The \$2M of grant funding will be included in the 2025/2026 budget as an additional source of income. The EMRC is required to demonstrate its financial commitment to the project of \$1M which will come from the following accounts:

Budget Year 2024/25 Account 24395/05 - \$770,000 – FOGO Pad Extension and Leachate Pond Construction

Budget Year 2024/25 Account 24410/10 - \$197,000 – MAF's x 3

Budget Year 2024/25 Account 24410/10 - \$100,000 MAF's Pipework

The funds for any works not completed by 30 June 2025 will need to be carried forward into the 2025/2026 budget.

SUSTAINABILITY IMPLICATIONS

- 18 Separation of organics from the waste stream will continue to ensure a reduction in organics from landfill and therefore a reduction in the amount of potent methane gas being created.

RISK MANAGEMENT

| Risk – FOGO processing timeframes impeded | | |
|---|---------------|--------|
| Consequence | Likelihood | Rating |
| Possible | Insignificant | Low |
| Action/Strategy | | |
| ➤ Continued liaison with member Councils and DWER | | |



MEMBER COUNCIL IMPLICATIONS

| Member Council | Implication Details |
|--------------------|---------------------|
| Town of Bassendean | Nil |
| City of Bayswater | |
| Shire of Mundaring | |
| City of Swan | |

ATTACHMENT(S)

DWER Letter – EMRC Variation (D2025/07152)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council re-affirms its commitment to the Food Waste for Healthy Soils project for FOGO processing at the Red Hill Waste Management Facility, as outlined in the body of this report and its attachment.

The Chairperson called for a mover and seconder for the officer recommendation to allow for questions.

Cr Hamilton moved the motion and Cr Jeans seconded.

Cr Jeans queried whether the \$2M in combined State and Commonwealth government funding had decreased.

The CEO advised that the government's commitment remains at \$2M with a reduced scope.

Cr Poliwka commented that it was a good result for the EMRC to retain the funding.

The CEO confirmed that the EMRC had done a good job advocating to retain the same contribution.

Cr G Johnson was excited for this great commitment to the EMRC.

Following discussion, the Chairperson put the motion to the vote.

COUNCIL RESOLUTION(S)

MOVED CR HAMILTON

SECONDED CR JEANS

THAT COUNCIL RE-AFFIRMS ITS COMMITMENT TO THE FOOD WASTE FOR HEALTHY SOILS PROJECT FOR FOGO PROCESSING AT THE RED HILL WASTE MANAGEMENT FACILITY, AS OUTLINED IN THE BODY OF THIS REPORT AND ITS ATTACHMENT.

CARRIED UNANIMOUSLY



Government of **Western Australia**
Department of **Water and Environmental Regulation**

Your ref: D2025/03941
Our ref: FWHS EMRC
Enquiries: Caz Brooks, Ph 6364 7162

Matthew MacPherson
Chief Executive Officer
Eastern Metropolitan Regional Council
PO Box 234
BELMONT WA 6984

Email: Matthew.MacPherson@emrc.org.au

Dear Matthew

***VARIATION REQUEST - FOOD WASTE FOR HEALTHY SOILS - FOGO
PROCESSING AT RED HILL WASTE MANAGEMENT FACILITY***

Thank you for your letter dated 20 February 2025 requesting approval for a variation to be applied to the Food Waste for Healthy Soils (FWHS) Deed of Grant.

I am pleased to advise that the Department of Water and Environmental Regulation (the Department) is conditionally supportive of your request, subject to EMRC confirming its commitment to the contractual obligations detailed in the FWHS Deed of Grant.

Specifically, I would like to highlight the below:

- Evidence of securing the balance of funds (\$1 million) toward the construction and operation of the facility to be provided.
- Construction can be completed and plant operational by 30 June 2026.
- Designated Use Period up to 30 June 2028.
- If the facility ceases to be used solely for the Designated Use during the Designated Use Period, then an Event of Default may occur.
- Upon an Event of Default occurring, the State may terminate the Deed of Grant, and the Grantee must repay to the State all of the Grant Funds paid by the State to the Grantee up to the time of such termination.
- Site and ownership: refer to Clause 5:10
- Additional relevant clauses:
 - 5.1 General Undertakings of the Grantee
 - 5.7 Operate the Facility
 - 6.2 Notice to Grantee
 - 11.2 Effect or Event of Default

The Department's support is subject to confirmation that EMRC agrees to the above requirements. Upon receiving your confirmation, the variation requested will be referred to the Commonwealth government for final approval.

Once the variation has been approved by both the State and the Commonwealth governments, the Department will provide EMRC with a FWHS Deed of Variation for agreement and signature.

The Deed of Variation will include:

- Processing capacity reduction from 60,000 tpa to 30,000 tpa.
- Project cost reduction from \$18 million to \$3 million (EMRC's contribution reduced from \$16 million to \$1 million).
- Process change: Anaerobic digestion replaced with an open windrow using mobile aerated floor systems.
- Job reductions: to be confirmed by EMRC.
- Feedstock: currently only the Town of Bassendean are committed to sending FOGO to the Red Hill facility.

The Department's undertaking a legal review of the FWHS Deed of Grant. I request that any further contractual updates required are communicated through the Deed of Variation negotiations with Ms Caz Brooks caz.brooks@dwer.wa.gov.au.

It would be appreciated if you would confirm in writing acknowledgment of the conditions highlighted in this letter by 7 April 2025.

Yours sincerely



Adrian Wiley
EXECUTIVE DIRECTOR
CIRCULAR ECONOMY

20 March 2025

7.5 CHIEF EXECUTIVE OFFICER ATTENDANCE AT WASTE 2025 CONFERENCE

D2025/07319

PURPOSE OF REPORT

The purpose of this report is for Council to consider a sending representative of the EMRC, being the Chief Executive Officer (CEO), to attend the Waste 2025 Conference that is scheduled to be held in Coffs Harbour from 13 to 15 May 2025.

KEY POINT(S)

- Attendance at conferences is part of the Chief Executive Officer's professional development.
- The Waste 2025 Conference is held annually and is hosted by Impact Environmental Consulting Pty Ltd.
- The Conference includes topics on best practice Waste Management from leading waste experts, and will benefit the operations of the EMRC.
- Council must give consideration to the current future focus of the EMRC and the benefit attendance at such a conference may provide the organisation amongst other priorities.

RECOMMENDATION(S)

That Council does not approve / approves the Chief Executive Officer to attend the Waste 2025 Conference being held in Coffs Harbour from 13 to 15 May 2025.

SOURCE OF REPORT

- AUTHOR(S): CHIEF EXECUTIVE OFFICER
- RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
- EMPLOYEE DISCLOSURE UNDER SECTION 5.70 LOCAL GOVERNMENT ACT 1995:
 - ⇒ Nil

BACKGROUND

- 1 First established back in 1996, the Coffs Harbour Waste Management Conference is well regarded as the industry's leading waste management conference in Australia. Historically, attracting delegates both nationally and internationally, the conference is targeted at anyone who works in, or has an interest in waste management issues, and is particularly relevant to local government. This prestigious event features two and a half days of presentations, a comprehensive trade exhibition and social events on three evenings providing invaluable networking opportunities.
- 2 Traditionally, the CEO of the EMRC has attended the annual Coffs Harbour Waste Management Conference to represent the EMRC and bring back valuable information, opportunities and potential partners to do business with the EMRC.

REPORT

- 3 The Waste 2025 Conference program begins on Tuesday 13 May 2025 and concludes on Thursday 15 May 2025. The program is streamed to allow delegates to tailor their learning to their specific needs. There are also 3 social events for onsite delegates providing ample networking opportunities. The topics include:
 - Circular economy

- National Action Plan for Australian Recycling
 - Highlights of the National Waste and Resource Recovery Report 2024
 - Update from the NSW Minister on its waste challenges and Government Action
 - Development of the NSW Reuse and Repair Strategy
- 4 Attendees will hear from leading waste management professionals on the latest developments in the industry, be able to visit a vast array of exhibitions, and have the opportunity to network with other 'waste experts' from across Australia and overseas. Tours of facilities and presentations on these is also common.
 - 5 The Conference topics align to current and future potential work being undertaken by the EMRC including a number of sessions regarding landfill management, the role of A.I. and digital technology in waste and problematic waste streams.
 - 6 The cost of the Conference is \$2020.00. The estimated cost of airfares is \$1500.00. Accommodation is estimated at \$228.00 per night for four nights.
 - 7 Per Council Policy 6.3 Attendance at Events approval is sought from Council for the CEO to attend the conference.
 - 8 At present, the EMRC is entering a transition period where services are being reconsidered for future, which includes structural changes that impact ongoing staff employment.
 - 9 While the conference represents a unique opportunity to learn from industry peers on best practice, and network with high level potential investors in the EMRC for future benefit in relation to the transition, this will likely be viewed differently by the workforce.
 - 10 Given this, and work toward the transition, the CEO was not going to request attendance for their own personal development amongst other priorities and duties, however made the determination that Council should consider the overall value to the EMRC in potential attendance.
 - 11 As is common with significant interstate conferences, it is not uncommon for authorities to send multiple representatives, such as the chair or deputy chair in the case of the EMRC, to increase networking and business connection opportunities, and may wish to do so in this instance along with, or instead of the CEO.

STRATEGIC/POLICY IMPLICATIONS

- 12 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy.

FINANCIAL IMPLICATIONS

- 13 Each year funds are budgeted for officer attendance at conferences. For one attendee, the expected cost of the conference is \$5000.00 excluding incidental expenses and meals.

SUSTAINABILITY IMPLICATIONS

- 14 Nil

RISK MANAGEMENT

Risk – Failure to seek Council approval before attendance is a breach of the Council Policy 6.3 adopted per s.5.90A of the Local Government Act 1995

| Consequence | Likelihood | Rating |
|---|------------|----------|
| Moderate | Unlikely | Moderate |
| Action/Strategy | | |
| ➤ Approval be sought for the CEO to attend Waste 2025 Conference to comply with Council Policy 6.3 Attendance at Events | | |

MEMBER COUNCIL IMPLICATIONS

| Member Council | Implication Details |
|--------------------|---------------------|
| Town of Bassendean | Nil |
| City of Bayswater | |
| Shire of Mundaring | |
| City of Swan | |

ATTACHMENT(S)

Conference Program 2025 (D2025/07319)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council does not approve / approves the Chief Executive Officer to attend the Waste 2025 Conference being held in Coffs Harbour from 13 to 15 May 2025.

The Chairperson called for a mover and seconder for the officer recommendation to allow for questions.

The Chairperson said this was a great opportunity to allow the CEO to network and enhance the EMRC.

The Chairperson supports the CEO to attend the conference as the EMRC has been represented in the conference in the past.

The Chairperson moved the motion to approve the CEO to attend the conference and Cr Poliwka seconded.

The Chairperson put the motion to the vote.

COUNCIL RESOLUTION(S)

MOVED CR PIFFARETTI

SECONDED CR POLIWKA

THAT COUNCIL APPROVES THE CHIEF EXECUTIVE OFFICER TO ATTEND THE WASTE 2025 CONFERENCE BEING HELD IN COFFS HARBOUR FROM 13 TO 15 MAY 2025.

CARRIED UNANIMOUSLY



OPAL COVE RESORT Coffs Harbour

13–15 May 2025

Local action • Global impact

Waste 2025 Conference Program

The Waste 2025 Conference program is designed with all delegates in mind, and is streamed to allow delegates to tailor their learning to their specific needs. There are also 3 social events for onsite delegates providing ample networking opportunities.

Click on the date tabs below to see the program for each of the 3 days or click on the stream name to see the list of presenters and topics featured within each stream!.

The program is subject to change without notice.

Event Time - (UTC+10:00) Canberra, Melbourne, Sydney ▾



| <u>Tuesday, May 13, 2025</u> | <u>Wednesday, May 14, 2025</u> | <u>Thursday, May 15, 2025</u> |
|------------------------------|---|-------------------------------|
| | Stream 1 | Stream 2 |
| 8:45 AM - 9:00 AM | **** WASTE 2025 CONFERENCE BEGINS **** Registration from 7:30 AM in the Pre Function Foyer | |
| 9:00 AM - 9:10 AM | <u>Introduction & Welcome</u> <u>Thomas Freeman, Waste 2025 Conference Convenor</u> | |
| 9:10 AM - 9:20 AM | <u>Welcome to Country</u> <u>Uncle Richard, Garlambirla Aboriginal Elders Group</u> | |
| 9:20 AM - 9:30 AM | <u>Welcome from the City of Coffs Harbour</u> <u>Nikki Williams, Mayor, City of Coffs Harbour</u> | |
| 9:30 AM - 9:50 AM | <u>Working together towards a circular economy</u> <u>Tony Chappel, CEO, NSW Environment Protection Authority</u> | |
| 9:50 AM - 10:10 AM | <u>National Action Plan for Australian recycling</u> <u>Suzanne Toumbourou, Chief Executive Officer, Australian Council of Recycling (ACOR)</u> | |
| 10:10 AM - 10:30 AM | <u>Highlights of the National Waste and Resource Recovery Report 2024</u> <u>Joe Pickin, Director, Blue Environment</u> | |
| 10:30 AM - 10:50 AM | <u>MORNING TEA - TUESDAY</u> | |
| 10:50 AM - 12:20 PM | PANEL DISCUSSION: 5 YEARS TO 2030 Facilitator: Gayle Sloan, Waste Management & Resource Recovery Association Australia | |
| 12:20 PM - 1:30 PM | <u>LUNCH - TUESDAY</u> | |
| 1:30 PM - 3:00 PM | CIRCULAR ECONOMY | INFRASTRUCTURE |
| 3:00 PM - 3:30 PM | <u>AFTERNOON TEA - TUESDAY</u> | |
| 3:30 PM - 5:00 PM | RECYCLING & RESOURCE RECOVERY | ENERGY FROM WASTE |
| 5:30 PM - 7:30 PM | <u>CONFERENCE WELCOME RECEPTION</u> <u>The Welcome Reception will take place outside among the outdoor exhibits at Opal Cove Resort (weather permitting).</u> | |

| Tuesday, May 13, 2025 | Wednesday, May 14, 2025 | | Thursday, May 15, 2025 | |
|-----------------------|---|------------------------------------|---|---|
| | Stream 1 | Stream 2 | Stream 3 | Stream 4 |
| 8:00 AM - 8:30 AM | WELCOME TEA AND COFFEE - WEDNESDAY | | | |
| 8:30 AM - 8:40 AM | <u>Introduction and Welcome from the Chair</u> <u>Mike Ritchie, Managing Director, MRA Consulting Group</u> | | | |
| 8:40 AM - 8:50 AM | <u>Update from the Minister - NSW's waste challenges and Government action</u> <u>The Hon. Penny Sharpe MLC, Minister for Climate Change, Energy, the Environment and Heritage</u> | | | |
| 8:50 AM - 9:10 AM | <u>European outlook: Strategies, successes and schemes</u> <u>Björn Appelqvist, Chair of the Scientific and Technical Committee and Board Member, International Solid Waste Association (ISWA)</u> | | | |
| 9:10 AM - 9:30 AM | <u>The future of recycling in Australia</u> <u>Tierry Lauren, Executive General Manager Recycling, Visy Industries</u> | | | |
| 9:30 AM - 9:50 AM | <u>Increasing the circularity of Australia's infrastructure: Progress and challenges</u> <u>Jodie Bricout, Design Director, Circular Economy, Aurecon</u> | | | |
| 9:50 AM - 10:10 AM | <u>The revolution will be local: Rethinking communication for deep engagement</u> <u>Costa Georgiadis, ABC's Gardening Australia and 'Costa the Garden Gnome' - Get Grubby TV & Cate McQuillen, meme productions - One Story</u> | | | |
| 10:10 AM - 10:40 AM | MORNING TEA - WEDNESDAY | | | |
| 10:40 AM - 12:10 PM | <u>PANEL DISCUSSION: TURNING TEXTILE WASTE INTO OPPORTUNITY</u> <u>Facilitator: Mike Ritchie, MRA Consulting Group</u> | | <u>PANEL DISCUSSION: BATTERY RELATED FIRES – HOW DO WE MITIGATE THE RISK?</u> <u>Facilitator: Sandra Thomas, Battery Stewardship Council</u> | |
| 12:10 PM - 1:20 PM | LUNCH - WEDNESDAY | | | |
| 1:20 PM - 2:50 PM | <u>FOGO & ORGANICS</u> | <u>LANDFILL</u> | <u>EDUCATION (PART 1)</u> | <u>WORKSHOP: LOCAL GOVERNMENT WASTE PROCUREMENT</u> <u>For local government employees only. Numbers are limited!</u> |
| 2:50 PM - 3:30 PM | AFTERNOON TEA - WEDNESDAY | | | |
| 3:30 PM - 5:00 PM | <u>STRATEGY & PLANNING</u> | <u>INDIGENOUS WASTE MANAGEMENT</u> | <u>EDUCATION (PART 2)</u> | <u>WORKSHOP: OPERATIONAL MATERIAL USE, OPTIMISING WASTE LEVY EXEMPTIONS</u> <u>Numbers are limited!</u> |
| 6:15 PM - 11:59 PM | <u>CONFERENCE DINNER</u> <u>The conference dinner will be held offsite at Pacific Bay Resort. The dinner theme this year is 'Back to the 80's'. Free scheduled transport will be provided between venues.</u> | | | |

| Tuesday, May 13, 2025 | Wednesday, May 14, 2025 | Thursday, May 15, 2025 | | |
|-----------------------|---|--|-----------------------------------|---|
| | Stream 1 | Stream 2 | Stream 3 | Stream 4 |
| 8:00 AM - 9:00 AM | WELCOME TEA & COFFEE - THURSDAY | | | |
| 9:00 AM - 9:10 AM | <u>Welcome Address from the Chair</u> Mike Ritchie, Managing Director, MRA Consulting Group | | | |
| 9:10 AM - 9:30 AM | <u>Development of the NSW Reuse and Repair Strategy</u> Bronwyn Isaac, Manager Policy, NSW Environment Protection Authority | | | |
| 9:30 AM - 11:00 AM | <u>PANEL DISCUSSION: HOW TO MAKE PRODUCT STEWARDSHIP REAL</u> Facilitator: Mike Ritchie, MRA Consulting Group | | | |
| 11:00 AM - 11:30 AM | <u>MORNING TEA - THURSDAY</u> | | | |
| 11:30 AM - 1:00 PM | <u>REGIONAL WASTE MANAGEMENT</u> | <u>SUSTAINABLE PROCUREMENT</u> | <u>ANAEROBIC DIGESTION</u> | <u>WORKSHOP: INVESTIGATING ILLEGAL DUMPING</u> Numbers are limited! |
| 1:00 PM - 2:00 PM | <u>LUNCH - THURSDAY</u> | | | |
| 2:00 PM - 3:30 PM | <u>INNOVATION</u> | <u>LITTER & ILLEGAL DUMPING</u> | <u>PROBLEM WASTE</u> | <u>WORKSHOP: MAKEUP MASTERPIECES</u> Numbers are limited! |
| 3:30 PM - 4:00 PM | <u>AFTERNOON TEA - THURSDAY</u> | | | |
| 4:00 PM - 5:00 PM | <u>FROM 'WHAT IF' TO 'WHAT NEXT?'</u> As the conference closes, join Costa for a fast-paced, energizing wrap-up that turns big ideas into bold action. Through rapid-fire insights, future-focused reflections, and interactive moments, we'll explore what's fresh, what's coming, and what's needed to drive change. This isn't just a summary—it's a launchpad. Let's turn 'What If' into 'What's Next'. | | | |
| 5:00 PM - 5:00 PM | **** WASTE 2025 CONFERENCE CONCLUDES **** | | | |
| 6:30 PM - 11:59 PM | <u>CONFERENCE FINALE BUFFET</u> The conference finale buffet will be held at Opal Cove Resort on the outdoor terrace (weather permitting) and in Horizons Restaurant. | | | |

9 FUTURE MEETINGS OF COUNCIL

The next meeting of Council will be held on Thursday 22 May 2025 (if required) at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6.00pm.

Future Meetings 2025

| | | | | |
|----------|--------------|---------------|----|----------------------------|
| Thursday | 26 June | | at | EMRC Administration Office |
| Thursday | 24 July | (if required) | at | EMRC Administration Office |
| Thursday | 28 August | (if required) | at | EMRC Administration Office |
| Thursday | 25 September | (if required) | at | EMRC Administration Office |
| Thursday | 27 November | | at | EMRC Administration Office |

10 DECLARATION OF CLOSURE OF MEETING

The Chairperson declared the meeting closed at 6:43pm.