

Certification of Confirmation
Special Meeting of Council
Minutes
6 November 2025

I, Cr Filomena Piffaretti, hereby certify that the minutes from the Special Meeting of Council held on 6 November 2025 pages (1) to (33) were confirmed at the Ordinary Meeting of Council held on 27 November 2025.



Signature
Cr Filomena Piffaretti
Presiding Member

CONFIRMED MINUTES

D2025/24865

Special Meeting of Council

6 November 2025



EMRC Council Members

Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Paul Poliwka	EMRC Member	Town of Bassendean
Cr Filomena Piffaretti	EMRC Member	City of Bayswater
Cr Steven Ostaszewskyj	EMRC Member	City of Bayswater

EMRC Council Deputies

Cr Jennie Carter	EMRC Deputy Member	Town of Bassendean
Cr Michelle Sutherland	EMRC Deputy Member	City of Bayswater



Special Meeting of Council

6 November 2025

A Special Meeting of Council was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 on **Thursday, 6 November 2025**. The meeting commenced at **6:09pm**.

Table of Contents

1	DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS	1
	1.1 ACKNOWLEDGEMENT OF COUNTRY	1
2	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	1
3	DISCLOSURE OF INTEREST	1
4	ANNOUNCEMENTS BY THE CHAIRPERSON OR PRESIDING MEMBER	1
5	PUBLIC QUESTION TIME	2
6	ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	2
7	ELECTION OF EMRC CHAIRPERSON AND DEPUTY CHAIRPERSON	2
	7.1 ELECTION AND SWEARING IN OF EMRC CHAIRPERSON (D2025/23069)	3
	7.2 ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON (D2025/23076)	10
8	EMPLOYEE REPORTS	17
	8.1 APPOINTMENT OF MEMBERS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (D2025/23810)	18
	8.2 ELECTION OF AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) CHAIRPERSON AND DEPUTY CHAIRPERSON (D2025/23080)	26
	8.3 APPOINTMENT OF MEMBER DELEGATE AND MEMBER DEPUTY DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) (D2025/23811)	29
9	FUTURE MEETINGS OF COUNCIL	33
10	DECLARATION OF CLOSURE OF MEETING	33

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Acting Chief Executive Officer (A/CEO) declared the meeting open at 6:09pm and welcomed Councillors and staff to the meeting.

1.1 ACKNOWLEDGEMENT OF COUNTRY

The A/CEO acknowledged the traditional custodians of the land, the Whadjuk people of the Noongar Nation and paid our respects to elders past, present and emerging.

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

EMRC Council Members

Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Paul Poliwka	EMRC Member	Town of Bassendean
Cr Filomena Piffaretti	EMRC Member	City of Bayswater
Cr Steven Ostaszewskyj	EMRC Member	City of Bayswater

EMRC Council Deputies

Cr Jennie Carter	EMRC Deputy Member	Town of Bassendean
Cr Michelle Sutherland	EMRC Deputy Member	City of Bayswater

EMRC Officers

Mr Hua Jer Liew	Acting Chief Executive Officer
Mr Stephen Conway	Acting 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

3 DISCLOSURE OF INTEREST

Nil

4 ANNOUNCEMENTS BY THE CHAIRPERSON OR PRESIDING MEMBER

Nil



5 PUBLIC QUESTION TIME

Nil

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

Nil

7 ELECTION OF EMRC CHAIRPERSON AND DEPUTY CHAIRPERSON

7.1 ELECTION AND SWEARING IN OF EMRC CHAIRPERSON (D2025/23069)

7.2 ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON (D2025/23076)

7 ELECTION OF EMRC CHAIRPERSON AND DEPUTY CHAIRPERSON

7.1 ELECTION AND SWEARING IN OF EMRC CHAIRPERSON

D2025/23069

PURPOSE OF REPORT

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

KEY POINT(S)

- Clause 7.3(1) of the Establishment Agreement of the EMRC provides for the election of a 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 Chairperson elected is to hold office until the election of a new Chairperson.

RECOMMENDATION(S)

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

SOURCE OF REPORT

Employee Disclosure under s.5.70 of the *Local Government Act 1995*

Author(s)	Chief Financial Officer	Nil
Responsible Officer	Chief Executive Officer	Nil

BACKGROUND

- 1 The Establishment Agreement of the EMRC provides for the election of a 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 Chairperson elected is to hold Office until the election of a new Chairperson.
- 2 It is a requirement of Schedule 2.3 of the *Local Government Act 1995* that the election is conducted by the CEO and the nominations for the Office of 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

- 3 The CEO will preside at the meeting until the office of Chairperson is filled.
- 4 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 Office of Chairperson:
 1. A blank nomination form for the Office of Chairperson, nominate oneself;
 2. A blank nomination form for the Office of Chairperson, nominate another;
 3. A blank ballot paper for Election of EMRC Chairperson; and
 4. A blank form for declaration by Elected Chairperson.



- 5 A list of the Members who have been appointed to the EMRC Council are as follows:

EMRC MEMBERS 2025 - 2027

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

Cr Kathryn Hamilton	Town of Bassendean
Cr Paul Poliwka	Town of Bassendean
Cr Filomena Piffaretti	City of Bayswater
Cr Steven Ostaszewskyj	City of Bayswater

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

Cr Jennie Carter	Town of Bassendean
Cr Michelle Sutherland	City of Bayswater

- 8 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.

- 9 Following election, the Chairperson will make a declaration of office.

STRATEGIC/POLICY IMPLICATIONS

- 10 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

- 11 Nil

SUSTAINABILITY IMPLICATIONS

- 12 Nil

RISK MANAGEMENT

Risk Failure to elect and appoint a Chairperson will impact on fulfilling the role per s.2.8 of the Local Government Act 1995

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



MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean City of Bayswater	Nil

ATTACHMENT(S)

1. A blank Nomination Form for the Office of Chairperson, nominate oneself (D2025/23070)
2. A blank Nomination Form for the Office of Chairperson, nominate another (D2025/23070)
3. A blank ballot Paper for Election of EMRC Chairperson (D2025/23071)
4. Declaration by Elected Chairperson (D2025/23073)

VOTING REQUIREMENT

Secret Ballot

RECOMMENDATION(S)

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

The A/CEO advised that no nominations for the Office of Chairperson of the EMRC had been received and called for nominations.

Cr Hamilton nominated Cr Piffaretti. Cr Piffaretti accepted the nomination. The A/CEO called for further nominations.

No further nominations were received and the A/CEO closed nominations.

ANNOUNCEMENT: OF THE OFFICE OF CHAIRPERSON

The A/CEO declared, unopposed, Cr Filomena Piffaretti as Chairperson of the EMRC for the term commencing 6 November 2025 for the next two (2) years.

Cr Piffaretti came forward and was sworn in by the A/CEO to the Office of Chairperson.

The A/CEO congratulated her and vacated the chair at 6:09pm.

At 6:09pm, Cr Piffaretti took the Chair.



EASTERN METROPOLITAN REGIONAL COUNCIL

Nomination for Chairperson

To the Chief Executive Officer

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

Signed

Date



EASTERN METROPOLITAN REGIONAL COUNCIL

Nomination for Chairperson

To the Chief Executive Officer

I hereby nominate _____
for the position of Chairperson of the Eastern Metropolitan Regional Council for the term of Office commencing on the date of the election and continuing until a new 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 Chairperson of the Eastern Metropolitan Regional Council.

Signed

Date

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



EASTERN METROPOLITAN REGIONAL COUNCIL

6 November 2025

Ballot Paper for the Election of the EMRC 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 Chairperson

I _____ of _____
have been elected to the Office of 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

6 November 2025

Signed

Date

Witness

Date



7.2 ELECTION AND SWEARING IN OF EMRC DEPUTY CHAIRPERSON

D2025/23076

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 Establishment Agreement of the EMRC 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.

RECOMMENDATION(S)

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

SOURCE OF REPORT

Employee Disclosure under s.5.70 of the *Local Government Act 1995*

Author(s)	Chief Financial Officer	Nil
Responsible Officer	Chief Executive Officer	Nil

BACKGROUND

- 1 The Establishment Agreement of the EMRC 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 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

- 3 The Chairperson will conduct the election of the Deputy Chairperson.
- 4 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 blank ballot paper for Election of EMRC Deputy Chairperson; and
 4. A blank form for declaration by Elected Deputy Chairperson.



5 A list of the Members who have been appointed to the EMRC Council are as follows:

EMRC MEMBERS 2025 - 2027

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

Cr Kathryn Hamilton	Town of Bassendean
Cr Paul Poliwka	Town of Bassendean
Cr Filomena Piffaretti	City of Bayswater
Cr Steven Ostaszewskyj	City of Bayswater

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

Cr Jenni Carter	Town of Bassendean
Cr Michelle Sutherland	City of Bayswater

8 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.

9 Following election, the Deputy Chairperson will make a declaration of office.

STRATEGIC/POLICY IMPLICATIONS

10 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

11 Nil

SUSTAINABILITY IMPLICATIONS

12 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	Implication Details
Town of Bassendean	} Nil
City of Bayswater	

ATTACHMENT(S)

1. A blank Nomination Form for the Office of Deputy Chairperson, nominate oneself (D2025/23077)
2. A blank Nomination Form for the Office of Deputy Chairperson, nominate another (D2025/23077)
3. A blank ballot Paper for Election of EMRC Deputy Chairperson (D2025/23078)
4. Declaration by Elected Deputy Chairperson (D2025/23079)

VOTING REQUIREMENT

Secret Ballot

RECOMMENDATION(S)

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

The Chairperson advised that no nominations for the Office of Deputy Chairperson of the EMRC had been received and called for nominations.

Cr Hamilton nominated Cr Poliwka for the Office of Deputy Chairperson and Cr Poliwka accepted the nomination. The Chairperson called for further nominations.

No further nominations were received and the Chairperson closed nominations.

ANNOUNCEMENT: OF THE OFFICE OF DEPUTY CHAIRPERSON

The Chairperson declared Cr Paul Poliwka, unopposed, as Deputy Chairperson of the EMRC for the term commencing 6 November 2025 for the next two (2) years.

Cr Poliwka was congratulated.

Cr Poliwka came forward and made his Declaration of Office.



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



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.



EASTERN METROPOLITAN REGIONAL COUNCIL

6 November 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

6 November 2025

Signed

Date

Witness

Date

8 EMPLOYEE REPORTS

- 8.1 APPOINTMENT OF MEMBERS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (D2025/23810)
- 8.2 ELECTION OF AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) CHAIRPERSON AND DEPUTY CHAIRPERSON (D2025/23080)
- 8.3 APPOINTMENT OF MEMBER DELEGATE AND MEMBER DEPUTY DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) (D2025/23811)

8.1 APPOINTMENT OF MEMBERS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE

D2025/23810

PURPOSE OF REPORT

The purpose of this report is to appoint members to the Audit, Risk and Improvement Committee (ARIC).

KEY POINT(S)

- Section 5.11(1)(d) of the *Local Government Act 1995* provides that the membership of a committee continues until the next ordinary elections day.
- It is a requirement of s.7.1A(1) of the *Local Government Act 1995* that a local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred to it.
- Further, it is a requirement of s.7.1A(2) of the *Local Government Act 1995* that the members of the Audit, Risk and Improvement committee of a local government are to be appointed (by absolute majority) by the local government and at least 3 of the members and the majority of the member are to be council members.
- Legal advice confirmed that a deputy member of the EMRC Council could not be an EMRC Council member for the purposes of s.7.1A(2).
- It is recommended that Council appoint members to the Committee, while ensuring that at least 3 of the Committee members are Council members.

RECOMMENDATION(S)

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, Risk and Improvement Committee:

Participant Local Government	Committee Member		Deputy Committee Member
Bassendean	Cr	Cr	Cr
Bayswater	Cr	Cr	Cr

SOURCE OF REPORT

Employee Disclosure under s.5.70 of the *Local Government Act 1995*

Author(s)	Chief Financial Officer	Nil
Responsible Officer	Chief Executive Officer	Nil

BACKGROUND

- | | | |
|---|--------------------|---|
| 1 | Established | 19 May 2005 |
| 2 | Membership | Membership of the Committee is comprised of two (2) Councillors from each member Council, along with independent member(s). |
| 3 | Meeting | 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. |
| 4 | 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. |

REPORT

- 5 It is a requirement of s.7.1A(1) of the *Local Government Act 1995* that a local government is to establish an audit, risk and improvement committee of 3 or more persons to exercise the powers and discharge the duties conferred to it.
- 6 Nominations for Councillor members of the ARIC are being sought as part of this report item.
- 7 Further, it is a requirement of s.7.1A(2) of the *Local Government Act 1995* that the members of the audit, risk and improvement committee of a local government are to be appointed (by absolute majority) by the local government and:
 - a at least 3 of the members and
 - b the majority of the members
 are to be council members.
- 8 Legal advice confirmed that a deputy member of the EMRC Council could not be an EMRC Council member for the purposes of s.7.1A(2).
- 9 That means that a deputy member of the EMRC Council may be appointed to the Audit, Risk and Improvement Committee but will not count towards the minimum number of Council members required.
- 10 Section 5.11(1)(d) of the *Local Government Act 1995* provides that the membership of a committee continues until the next ordinary elections day. The terms of appointment of members of this committee will expire on 16 October 2027.
- 11 Nominations for the Deputy Committee member of the ARIC will automatically be the remaining councillor of each participant member Council.
- 12 In the event that the Committee member is unable to attend a meeting, he or she or they is to organise with the deputy Committee member from the same participant member Council to attend in his or her or their place as well as notify the EMRC.

STRATEGIC/POLICY IMPLICATIONS

- 13 Council Policy 2.1 provides for the establishment of the Audit, Risk and Improvement Committee.
- 14 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

- 15 Nil

SUSTAINABILITY IMPLICATIONS

- 16 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		
➤ Appoint members to the AC		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean } City of Bayswater }	Nil

ATTACHMENT(S)

Terms of Reference – Audit, Risk and Improvement Committee (D2025/23810)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

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, Risk and Improvement Committee:

Participant Local Government	Committee Member		Deputy Committee Member
Bassendean	Cr	Cr	Cr
Bayswater	Cr	Cr	Cr

COUNCIL RESOLUTION(S)

MOVED CR OSTASZEWSKYJ SECONDED CR HAMILTON

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, RISK AND IMPROVEMENT COMMITTEE:

PARTICIPANT LOCAL GOVERNMENT	COMMITTEE MEMBER		DEPUTY COMMITTEE MEMBER
BASSENDAN	CR PAUL POLIWKA	CR KATHRYN HAMILTON	CR JENNIE CARTER
BAYSWATER	CR STEVEN OSTASZEWSKYJ	CR FILOMENA PIFFARETTI	CR MICHELLE SUTHERLAND

CARRIED UNANIMOUSLY

Terms of Reference

Audit, Risk and Improvement Committee

1 Objectives of Committee

The Audit, Risk and Improvement Committee (ARIC) is a formally appointed committee of Council and is responsible to that body. It has been established to assist Council with:

- (a) The effective conduct of its responsibilities for financial reporting, management of risk and maintaining a reliable system of controls.
- (b) The co-ordination of relevant activities of management, compliance, internal audit, external audit and to facilitate achieving overall organisational objectives in an efficient and effective manner.
- (c) The facilitation of:
 - The enhancement of the credibility and objectivity of internal and external financial reporting;
 - Effective management of financial and other risks and the protection of Council assets;
 - Compliance with laws and regulations as well as use of best practice guidelines;
 - The provision of an effective means of communication between the external auditor, internal audit, management and the Council; and
 - The allocation of the EMRC's finances and resources.

2 Responsibilities

The duties of the Audit, Risk and Improvement Committee include the following:

- 2.1 To review the scope of the internal audit plan and programme and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
 - (a) Internal controls over revenue, expenditure, assets and liability processes
 - (b) The efficiency, effectiveness and economy of significant EMRC programmes; and
 - (c) Compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
- 2.2 Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.
- 2.3 Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- 2.4 Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.

- 2.5 Review Council's draft annual financial report, focusing on:
 - (a) Accounting policies and practices;
 - (b) Changes to accounting policies and practices;
 - (c) The process used in making significant accounting estimates;
 - (d) Significant adjustments to the financial report (if any) arising from the audit process;
 - (e) Compliance with accounting standards and other reporting requirements; and
 - (f) Significant variances from prior years.
- 2.6 Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.
- 2.7 Discuss with the external auditor the scope of the audit and the planning of the audit.
- 2.8 Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters. Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate.
- 2.9 Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's Terms of Reference.

3 Membership

- 3.1 The Audit, Risk and Improvement Committee will comprise of at least 3 Councillor members and independent person(s), such that:
 - (a) Four Committee members, two from each member Council; and
 - (b) Two Deputy Committee members, one from each member Council.
- 3.2 Members and Deputies will be appointed for a period of up to two years following each ordinary Council election until:
 - (a) the Friday prior to the local government elections held in October every 2 years;
 - (b) the Councillor member or Deputy Councillor member ceases to be a member or deputy member of the Council of the Participant member Council; or
 - (c) the Councillor member or Deputy Councillor member is removed by the Participant member Council.
- 3.3 An independent member must be a person who is not a Council member of any local government or an employee of any local government.
- 3.4 The Chief Executive Officer and the Chief Financial Officer will attend all meetings except when the Committee chooses to meet in camera.
- 3.5 An Internal Auditor (whether a member of staff or contractor) will attend meetings where internal audit reports are being considered by the committee.

4 Committee Chairperson

- 4.1 An independent ARIC Chairperson is to be appointed by Council following the October 2025 elections.
- 4.2 The ARIC Chairperson is responsible for facilitating and chairing committee meetings.
- 4.3 A Deputy ARIC Chairperson may be appointed and must also be an independent member.
- 4.4 The Deputy ARIC Chairperson will preside at meetings of the committee in the absence of the Chairperson.

5 Meetings

- 5.1 The Audit, Risk and Improvement Committee will meet as required at the discretion of the chairperson of the committee and at least three times per year to coincide with:
 - (a) Approval of strategic and annual plans;
 - (b) The Compliance Audit Return;
 - (c) Approval of the annual budget; and
 - (d) The auditor's report on the annual financial report.
- 5.2 Additional meetings will be convened at the discretion of the Chairperson.

6 Operating Procedures

- 6.1 All meetings of the Audit, Risk and Improvement 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 three of the number of offices (whether vacant or not) of members 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; and
 - (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 or member Council staff may attend meetings, at the discretion of the Chief Executive Officer and/or the Committee Chairperson, to provide advice and information when required.
- 6.5 Representatives of the External Auditor will be invited to attend meetings at the discretion of the Committee but MUST attend meetings considering the draft annual financial report and results of the external audit.

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.

8 Delegated Power

- 7.1 The Committee does not have authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility.

Related Documents

Policy 1.2 Meetings

Policy 2.1 Committees of Council

Policy 3.1 Annual Financial Reporting

Policy 7.1 Risk Management Policy

EMRC Meeting Procedures Local Law 2023

EMRC Code of Conduct

Administration

Adopted/Reviewed by Council

23 September 2010

18 September 2014

06 December 2018

25 November 2021

7 August 2025

Next Review

Following the Ordinary Elections in 2027

Responsible Team

Business Support Team

8.2 APPOINTMENT OF PRESIDING MEMBERS AND DEPUTY PRESIDING MEMBERS TO COMMITTEE

D2025/23080

PURPOSE OF REPORT

The purpose of this report is to appoint members to the Audit, Risk and Improvement Committee (ARIC).

KEY POINT(S) AND RECOMMENDATION(S)

- Amendments to section 5.12 of the *Local Government Act 1995* require councils to appoint committee presiding members and deputy presiding members.
- These appointments must be made by an absolute majority decision of the Council.

RECOMMENDATION(S)

That Council:

1. By absolute majority in accordance with s.5.12(1) appoint Cr to be the Chairperson (Presiding Member) of the Audit, Risk and Improvement Committee.
2. By absolute majority in accordance with s.5.12(2) appoint Cr to be the Deputy Chairperson (Deputy Presiding Member) of the Audit, Risk and Improvement Committee.

SOURCE OF REPORT

Employee Disclosure under s.5.70 of the *Local Government Act 1995*

Author(s)	Chief Financial Officer	Nil
Responsible Officer	Chief Executive Officer	Nil

BACKGROUND

- 1 Previously, the members of a committee are to elect a presiding member from amongst themselves in accordance with s.5.12 of the *Local Government Act 1995* (the Act).
- 2 Similarly it is a requirement of the Act that members of a committee may elect a deputy presiding member from amongst themselves.

REPORT

- 3 Reforms proclaimed late last year under Schedule 9.3 cl.67 of the Local Government Act Transitional provisions require Local Governments to appoint Committee Presiding Members and Deputy Presiding Members by absolute majority Council decision.
- 4 This applies to all current Committees established under section 5.8 of the Act.
- 5 The changes are intended to allow for greater transparency and clarity on how council committees operate.



6 The appointment process for the presiding member and deputy presiding member has also been simplified with the appointment of these roles by Council, instead of the committee(s) electing those roles by secret ballot in the changes to s.5.12 of the Act.

7 Currently the EMRC has only one committee - Audit, Risk and Improvement Committee.

STRATEGIC/POLICY IMPLICATIONS

8 Council Policy 2.1 provides for the establishment of the Audit, Risk and Improvement Committee.

9 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

10 Nil

SUSTAINABILITY IMPLICATIONS

11 Nil

RISK MANAGEMENT

Risk: Failure to appoint presiding member and deputy presiding member to the Audit, Risk and Improvement Committee will result in a breach of the requirement of s.5.12 of the *Local Government Act 1995*.

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
➤ Appoint members to the ARIC		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean } City of Bayswater }	Nil

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Absolute Majority



RECOMMENDATION(S)

That:

1. By absolute majority in accordance with s.5.12(1) appoint Cr to be the Chairperson (Presiding Member) of the Audit, Risk and Improvement Committee.
2. By absolute majority in accordance with s.5.12(2) appoint Cr to be the Deputy Chairperson (Deputy Presiding Member) of the Audit, Risk and Improvement Committee.

COUNCIL RESOLUTION(S)

MOVED CR HAMILTON

SECONDED CR PIFFARETTI

THAT:

1. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.12(1) APPOINT CR POLIWKA TO BE THE CHAIRPERSON (PRESIDING MEMBER) OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE.
2. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.12(2) APPOINT CR OSTASZEWSKYJ TO BE THE DEPUTY CHAIRPERSON (DEPUTY PRESIDING MEMBER) OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE.

CARRIED UNANIMOUSLY



8.3 APPOINTMENT OF MEMBER DELEGATE AND DEPUTY MEMBER DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL (MWAC)

D2025/32557

PURPOSE OF REPORT

The purpose of this report is to review the Council's appointment of delegates and deputy delegates to the Municipal Waste Advisory Council (MWAC).

KEY POINT(S)

- There is no term of office for these appointments as the EMRC is the member, not the individual nominated delegate. The member can continue as a delegate for as long as he/she is a member of the EMRC and until such time as the EMRC nominates a different delegate. Council however reviews the appointment of member and deputy member delegates to MWAC following each ordinary elections day.

RECOMMENDATION(S)

That:

1. Cr be the Member Delegate to the Municipal Waste Advisory Council and Cr be the Deputy Member Delegate to the Municipal Waste Advisory Council.
2. The Chief Executive Officer (CEO) be the Officer Delegate to the Municipal Waste Advisory Council and that the Acting Chief Executive Officer be the Deputy Officer Delegate to the Municipal Waste Advisory Council.

SOURCE OF REPORT

Employee Disclosure under s.5.70 of the *Local Government Act 1995*

Author(s)	Chief Financial Officer	Nil
Responsible Officer	Chief Executive Officer	Nil

BACKGROUND

- 1 EMRC Policy 1.1 Election of MWAC Representatives states that:
 1. The Council will elect a Member Delegate and Member Deputy Delegate and an Officer Delegate and Deputy Delegate to represent the EMRC on the MWAC.
 2. If either the Member Delegate or Officer Delegate is not present at a MWAC meeting the Member Deputy Delegate or Officer Deputy Delegate will be eligible to vote on behalf of the EMRC.
- 2 The Municipal Waste Advisory Council (MWAC) is a standing committee of the Western Australian Local Government Association with delegated authority on municipal waste issues.
- 3 MWAC's membership includes the major Regional Councils. This makes MWAC a forum through which all the major Local Government waste management organisations cooperate.
- 4 MWAC focuses its work in three main waste management areas:
 - The proactive development of policy on priority issues;
 - Comprehensive representation of Local Government views on legislation, regulations, administrative policy and related matters; and
 - The delivery of grant funded programs consistent with Local Government priorities.
- 5 There is no sitting fee for MWAC members. The MWAC meeting calendar for the rest of 2025 and 2026 (noting dates only booked until end of the financial year) calendar years are as follows:

2025	2026
Wednesday, 10 December 2025	Wednesday, 18 February 2026
	Wednesday, 22 April 2026
	Wednesday, 24 June 2026

- 6 The meetings will be held at WALGA, One70 - 170 Railway Parade, West Leederville, or online.
- 7 The meetings generally run from 4:00pm to 6:00pm and are followed by a light supper. Agendas are posted out the Wednesday prior to the meeting, and posted on the WasteNet website.
- 8 Members of MWAC are expected to:
 - Attend all meetings (extenuating circumstances excepted);
 - Have some background knowledge/and or interest in waste management issues generally;
 - Read their agendas prior to meetings;
 - Act as a representative of their Regional Council and community; and
 - Contribute knowledge/opinions/ideas in MWAC meetings.
- 9 Basically the expectation of MWAC members is that they attend meetings, are interested and contribute ideas, etc. There are occasional workshops/seminars/conferences for Elected Members, but the Chairperson will usually act as the MWAC representative in this instance, and other Elected Members can optionally attend.

REPORT

- 10 MWAC member organisations include the Eastern Metropolitan Regional Council, Resource Recovery Group (formerly known as Southern Metropolitan Regional Council), Western Metropolitan Regional Council, Mindarie Regional Council, Bunbury Harvey Regional Council and City of Greater Geraldton. MWAC technical advice comes through the Officers' Advisory Group (OAG) which includes CEOs and senior officers of Regional Councils as well as representatives from the metropolitan and non-metropolitan zones.
- 11 There is no term of office for these appointments as the EMRC is the member, not the individual nominated delegate. The member can continue as a delegate for as long as he/she is a member of the EMRC and until such time as the EMRC nominates a different delegate. Council reviews the appointment of member and deputy member delegates to MWAC following each ordinary elections day.

STRATEGIC/POLICY IMPLICATIONS

- 12 EMRC Policy 1.1 Election of MWAC Representatives
- 13 Reporting on EMRC Strategic Policy implications align with the revised Strategic Plan 2017-2027 and the Sustainability Strategy:
- 14 Target - Sustainability integrated into management processes.

FINANCIAL IMPLICATIONS

- 15 Nil

SUSTAINABILITY IMPLICATIONS

- 16 Nil

RISK MANAGEMENT

Risk: Failure to appoint delegate to MWAC will impact EMRC's representation of the sector and impact on MWAC to accurately and effectively represent the sector on such key issues relating to Government policy legislation and regulation

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
➤ Appoint delegates to MWAC		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	

ATTACHMENT(S)

Nil



VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That:

1. Cr be the Member Delegate to the Municipal Waste Advisory Council and Cr be the Deputy Member Delegate to the Municipal Waste Advisory Council.
2. The Chief Executive Officer (CEO) be the Officer Delegate to the Municipal Waste Advisory Council and that the Acting Chief Executive Officer be the Deputy Officer Delegate to the Municipal Waste Advisory Council.

COUNCIL RESOLUTION(S)

MOVED CR PIFFARETTI

SECONDED CR POLIWKA

THAT:

1. CR KATHRYN HAMILTON BE THE MEMBER DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL AND CR MICHELLE SUTHERLAND BE THE DEPUTY MEMBER DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL.
2. THE CHIEF EXECUTIVE OFFICER (CEO) BE THE OFFICER DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL AND THAT THE ACTING CHIEF EXECUTIVE OFFICER BE THE DEPUTY OFFICER DELEGATE TO THE MUNICIPAL WASTE ADVISORY COUNCIL.

CARRIED UNANIMOUSLY

9 FUTURE MEETINGS OF COUNCIL

The next meeting of Council will be held on Thursday 27 November 2025 at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6.00pm.

Future Meetings 2025

Thursday 27 November at EMRC Administration Office

10 DECLARATION OF CLOSURE OF MEETING

There being no further business, the meeting was closed at 6:15pm.