



# BARWON SOUTH WEST LOCAL GOVERNMENT WASTE FORUM OPERATING GUIDELINES

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**Appendix 1** Key interactions between Local Government Forums and Waste and Resource Recovery Groups.

## 1. The Barwon South West Waste and Resource Recovery Region Local Government Waste Forum

- 1.1 The Barwon South West Waste and Resource Recovery Group was established under the *Environment Protection Act* (the Act) in 2014 to deliver waste and resource recovery planning, procurement, education and project functions in the Barwon South West waste and resource recovery region.
- 1.2 The Act establishes a Local Government Waste Forum (the Forum) to support the effective operation of the Barwon South West Waste and Resource Recovery Group.
- 1.3 The Act states that the Forum is to consist of the representatives of the councils in the region. It states that each council may nominate a representative to the Forum.

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

- 1.4.1 nominate the 4 persons who are to be the representatives of the councils for the purposes of section 49K(2)(a) of the Act
- 1.4.2 if there is a vacancy in the office of a director nominated under section 49K(2)(a) to nominate a person to fill that vacancy
- 1.4.3 advise the Board of directors of the waste and resource recovery group on matters and issues affecting the role of councils in waste management and resource recovery
- 1.4.4 act as a conduit for consultation between the waste and resource recovery group and the councils in the waste and resource recovery region of that group.
- 1.4.5 develop procedures for functions 1.4.1 and 1.4.2 with the councils. These Operating Guidelines deliver on the requirements to develop these procedures and are the operating rules for the Forum.

## **2. Forum Aims**

- 2.1 To develop local governments' capacity to deliver effective, efficient and sustainable waste and resource recovery planning and management across the Barwon South West waste and resource recovery region.
- 2.2 To engage with industry, government and community stakeholders to improve waste and resource recovery management and planning.
- 2.3 To assist the Barwon South West Waste and Resource Recovery Group Board to engage councils across the region in the planning and management of waste.
- 2.4 To nominate at least four and up to six members to the Minister for Energy Environment and Climate Change, for appointment to the Barwon South West Waste and Resource Recovery Group Board, in accordance with the Act.

## **3. Forum Functions**

- 3.1 To provide advice to the Barwon South West Waste and Resource Recovery Group Board on waste and resource recovery service and infrastructure planning and management, waste and resource recovery service procurement and contract management, waste and resource recovery education requirements, and waste and resource recovery project requirements, design and implementation.
- 3.2 To communicate across the local government sector waste management and resource recovery trends and technologies, and encourage information sharing on best practice.



- 3.3 To nominate at least four and up to six members to the Minister for Energy Environment and Climate Change, for the Barwon South West Waste and Resource Recovery Group Board, in accordance with the Act.
- 3.4 To facilitate local government waste management and resource recovery initiatives.

## 4. Forum Membership

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

Borough of Queenscliffe	City of Greater Geelong
Colac Otway Shire Council	Corangamite Shire Council
Glenelg Shire Council	Moyne Shire Council
Southern Grampians Shire Council	Surf Coast Shire Council
Warrnambool City Council	

## 5. Forum Representatives

- 5.1 Each member council shall nominate a Representative to the Forum and may nominate an alternate Representative to the Forum.
- 5.2 If a Representative or their Council appointed alternative Representative is unable to attend a Forum meeting they may nominate a proxy, in writing to the Chair of the Forum prior to the meeting.
- 5.3 Each member council shall also nominate a staff member as an Advisory Member to the Forum. The Advisory Member is able to participate fully in all Forum proceedings and activities but does not hold a vote in the Forum.
- 5.4 A Council may change its Representative, or Advisory Member to the Forum at any stage by letter from the Council CEO to the Chair of the Forum.
- 5.5 The Municipal Association of Victoria, the Victorian Local Governance Association and the Barwon South West Waste and Resource Recovery Group may send an observer to the meetings of the Forum. Other external parties may attend by invitation from the Forum.
- 5.6 The list of Representatives, Proxies and Advisory Members and their attendance to the Forum shall be administered and reported by the Barwon South West Waste and Resource Recovery Group in its role as secretariat to the Forum.
- 5.7 Representatives and Advisory Members are expected to attend each meeting. A meeting may be attended in person or by teleconference or similar. In the event that a member council is not



represented by their Representative or proxy for three consecutive meetings, written notification by the secretariat shall be given to the council.

- 5.8 Attendance from a member council shall normally consist of the Representative and Advisory Member and additional personnel are welcome to attend as observers.
- 5.9 Barwon South West Waste and Resource Recovery Group directors have a standing invitation. Directors who are not Forum members will have no voting right.

## **6. Forum Operation**

- 6.1 The Forum shall be an unincorporated entity of its member Councils.
- 6.2 The operation of the Forum shall be governed by these Operating Guidelines. These Operating Guidelines were adopted by the Forum by majority vote on the 19th December 2016. The Operating Guidelines shall be reviewed at least every four years by the Forum at which a minimum of two thirds of representatives must support any amendment to the Operating Guidelines.
- 6.3 The Forum shall meet a minimum of 4 times a year. Forum meetings will be scheduled mindful of Member Councils' ordinary meeting dates and times.
- 6.4 For general business of the Forum the Quorum shall be 6 Representatives, or their Proxies, of the Forum.
- 6.5 The Forum shall nominate one of its Representatives as Chair of the Forum on an annual basis. At the time of the election of the Chair, either the BSWWRRG Executive Officer or the Chair of the ARG or the Chair of the BSWWRRG Board shall step in as Acting Chair for the nomination and election process.
- 6.6 Refer "Nomination and Election of Local Government Waste Forum Chairs" regarding voting procedures for Chair and deputy Chair.
- 6.7 The Forum shall establish an advisory reference group or other working groups as required to report back to the Forum. Terms of reference for each group are to be agreed by the Forum.
- 6.8 The Barwon South West Waste and Resource Recovery Group shall provide support to the Forum to enable it to perform its function as required by the Act.

## **7. The Barwon South West Waste and Resource Recovery Group Board**

- 7.1 Following notification to the Forum that Representatives are to be nominated to the Barwon South West Waste and Resource Recovery Group Board, or that a vacancy must be filled on the Barwon South West Waste and Resource Recovery Group Board, the Forum will appoint an independent Returning Officer. The Executive Officer of the Barwon South West Waste and Resource Recovery Group can be appointed the independent Returning Officer.



- 7.2 The Returning Officer shall run an election for the nomination of at least four and up to six Representatives to be considered by Minister for Energy Environment and Climate Change for the four Forum board positions.
- 7.3 Representatives wishing to nominate for the Barwon South West Waste and Resource Recovery Board should attend the meeting where nominations are being called for. If not, they are to provide a proxy who has been approved by their council (as per section 5.2) who will state their nomination at the meeting and vote on their behalf.
- 7.4 On the receipt of nominations, the Returning Officer shall conduct a ballot in accordance with the Procedures for Election of Representatives to the Barwon South West Waste and Resource Recovery Group Board of Directors
- 7.5 Should a local government member of the Barwon South West Waste and Resource Recovery Group Board cease to be a Representative of the Forum, the Forum may request that the Minister remove them from the Barwon South West Waste and Resource Recovery Group Board in accordance with statutory requirements.
- 7.6 Should the Forum have good reason, and five votes in favour, the Forum may request that the Minister act to remove a Representative from the Barwon South West Waste and Resource Recovery Group Board in accordance with statutory requirements. The Good Governance Code must be used to determine inappropriate behaviour that would constitute 'good reason' for the Forum to seek removal of a Barwon South West Waste and Resource Recovery Group Board member.
- 7.7 Where a vacancy is to be filled, the above provisions apply, adapted as necessary to the number of vacancies to be filled.

## **8. The Forum and the Barwon South West Waste and Resource Recovery Group Board**

- 8.1 The Act states that a function of a waste and resource recovery group is to support its waste and resource recovery region's Local Government Waste Forum to enable the Forum to perform its functions.
- 8.2 The Act states that a function of a Forum is to advise the Board of Directors of a waste and resource recovery group on matters and issues affecting the role of councils in waste management and resource recovery.
- 8.3 The Forum recognises that Barwon South West Waste and Resource Recovery Group Board members' responsibilities are defined in statute. Within these responsibilities, the Forum expects its nominated members to attend Forum meetings, respond to issues raised by the Forum and take issues raised by the Forum to the Barwon South West Waste and Resource Recovery Group Board.
- 8.4 If the Forum places a written proposal to the Barwon South West Waste and Resource Recovery Group Board, a written response outlining the Board's position is expected.



## 9. The Forum and local government

- 9.1 Forum Representatives are expected to communicate the activities and actions of the Forum back to their Council.
- 9.2 Forum Representatives are expected to inform the Forum of issues and activities of their Council that contribute to the development of the Barwon South West Waste and Resource Recovery Region's waste management and resource recovery arrangements, via meetings of the Forum, any working groups of the Forum or the secretariat.
- 9.3 Minutes from each Forum meeting shall be provided to all member councils within 2 weeks from when the Forum is held.

## 10. Meeting Procedures

- 10.1 Motions from Forum members must be put in writing 10 working days prior to the meeting so that they can be circulated and considered. Matters from the floor may be considered as urgent business at the Forum at the discretion of the Forum chair.
  - 10.1.1 Motion proposed, seconded and minuted
  - 10.1.2 Motion discussed
  - 10.1.3 Amendments (if any) agreed and minuted
  - 10.1.4 Motion re---read with amendments and proposed
  - 10.1.5 Votes for, against and abstentions minuted
- 10.2 Representatives may raise other matters 10 days prior to the Forum meeting by advising the Chair in writing of the intent to raise other matters.
- 10.3 The Forum agenda shall be distributed at least 7 working days prior to the meeting.



## Appendix 1

### Key interactions between Local Government Forums and Waste and Resource Recovery Groups

