

**LOCAL AUTHORITIES WASTE MANAGEMENT ADVISORY COMMITTEE
(LAWMAC)**

RULES OF OPERATION – 2019

VISION

To achieve sustainable use of resources and best practice waste management in North Queensland through regional cooperation and positive influence making LAWMAC a peak waste industry leader.

MISSION

LAWMAC is an organisation of councils dedicated to best practice waste management aiming to provide sustainable solutions by open discussion and active participation on waste management issues with Local Government, State Government, Industry and the Australian Packaging Covenant through Memorandums of Understanding where applicable.

and

Provide a forum to advise on best practice tools that lead to cost-effective environmental benefits for the communities of North Queensland and other affiliated regions through the medium of its member local governments.

AUTHORITY

- (i) The Local Authorities Waste Management Advisory Committee (LAWMAC) is a sub-committee of the Northern Alliance of Councils Incorporated (NAofC) and is bound by the Constitution of that Incorporated Association.
- (ii) The LAWMAC Chairperson's annual report shall be presented by the Chairperson, or his/her nominated representative to each NAofC Meeting.

OBJECTIVES

- (i) To achieve sustainable use of resources through continuous improvement of waste management practices by regional cooperation.
- (ii) To facilitate positive environmental change.
- (iii) To collaborate and develop partnerships in the implementation of sustainable waste management solutions.
- (iv) To advocate and influence environmental policy and waste management industry practices at all levels of government and industry.
- (v) To continue to enhance and develop the professionalism of LAWMAC.

1. MEMBERSHIP

- (i) Membership of LAWMAC shall be open to all local governments within the NAofC catchment area plus all other councils as agreed by members.
- (ii) Voting rights as provided in Clause 7 shall be available only to financial local government members who have paid the Annual Subscription Fee as calculated in Clause 8.
- (iii) Each financial local government member is entitled to be represented, and should attempt to have at least one Councillor and one Officer present at all meetings.
- (iv) There is no limit on the number of delegates allowed, but in matters requiring a vote a member local government's voting entitlements shall be in accordance with Clause 7.

- (v) Officers of the Environment and Heritage Protection Agency, State Agencies, NAofC, LGAQ, Non-Government Organisations, Industry Groups and Non-Financial Members are encouraged to attend meetings and provide input, but are not entitled to vote.
- (vi) Corporate and affiliate membership shall be open to members of Industry, Commerce, State Agencies, Individuals and other non-government organisations, but will be without entitlement to vote at meetings.

2. EXECUTIVE COMMITTEE

- (i) At the Annual General Meeting next following each Local Government election and on the second anniversary, a LAWMAC Executive Committee shall be constituted.
- (ii) **A.** The LAWMAC Executive Committee shall consist of the Chairperson and one (1) elected member from a financial local government in each of the following local government regions: FNQROC; NQROC, GWCOM, CQROC, NWROC and TCICA.
B. The LAWMAC Executive Committee shall appoint a Technical Advisory Officer from Expressions of Interest received from suitably qualified Officers.
- (iii) Nominations for positions on the Executive Committee shall be taken from the floor.
- (iv) At the election of the Executive Committee at the Annual General Meeting, the Secretary (or Secretariat) shall act in the capacity of Returning Officer.
- (v) A ballot (if necessary) shall be conducted on the basis of “first past the post” voting.
- (vi) If a ballot is necessary, only those financial members present from that region have the right to vote. In the case of a tie, the Chairperson shall have the casting vote.
- (vii) The official representative may provide a written proxy to any other representative (Councillor or Officer) of any financial member local government. The proxy will remain until written withdrawal by the official representative.
- (viii) The Executive Committee shall appoint from one of its number an elected member as Deputy Chairperson of LAWMAC.
- (ix) The Executive Committee shall serve for the term of the Chairperson as provided in Clause 2 (ii).
- (x) The Executive Committee may, from time to time, appoint sub-committees, working groups and additional Executive Committee Representatives to undertake specific projects or roles on behalf of LAWMAC.
- (xi) The Executive Committee can act on delegated authority given by the General Committee and will report back to the committee, through the Chairperson, at each LAWMAC meeting.

3. ELECTION OF CHAIR

- (i) The Chairperson of LAWMAC shall be a Councillor of a financial member local government.
- (ii) The Chairperson shall retire from office at the conclusion of the Annual General Meeting next following each Local Government Quadrennial Election, and on the second anniversary thereafter reducing each election period to two years, but shall be eligible upon nomination for re-election.
- (iii) The Chairperson shall be elected at the Annual General Meeting and shall take office at the conclusion of such Annual General Meeting.
- (iv) Nominations for the position of Chairperson shall be in writing, and must be received by the Secretary (or Secretariat) not later than fourteen (14) days prior to the Annual General Meeting as provided for in Clause 2 (ii).
- (v) Advice of those persons nominated shall be forwarded to all member local governments at least seven (7) days prior to such Annual General Meeting.
- (vi) Failing receipt of written nominations for Chairperson, nominations shall be taken from the floor.

- (vii) At the election of Chairperson at the Annual General Meeting, the Secretary (or Secretariat) shall act in the capacity of Returning Officer.
- (viii) A ballot (if necessary) shall be conducted on the basis of “first past the post” voting.
- (ix) In the event of the Chair and no other member of the executive being re-elected at the quadrennial local government election the responsibility of reforming LAWMAC shall fall to the senior waste management officer of the council holding the last Chairperson’s position.

4. GENERAL MEETING

- (i) General Meetings will be held at least three times per year.
- (ii) All General Meetings shall be held at such times and at such venues as determined by the previous meeting.
- (iii) The Secretary (or Secretariat) shall convene all General Meetings by giving not less than twenty-eight (28) days written notice plus draft agenda to member local governments.
- (iv) The elected Chairperson shall preside at all General Meetings, but when not present at any meeting the Deputy Chair shall preside over the meeting and in the absence of both the Chair and Deputy Chair a member of the Executive shall preside over the meeting.
- (v) Items raised at meetings under General Business will be proposed for formal voting or carried over to the next meeting at the discretion of the Chair.

5. ANNUAL GENERAL MEETING

- (i) The Annual General Meeting shall be held each year at any time determined by a General Meeting.
- (ii) The business to be transacted at every Annual General Meeting shall include:
 - (a) The receiving of the Chairperson’s Annual Report;
 - (b) The tabling of the Audited Statement of Receipts and Expenditure of the NAofC for the preceding financial year;
 - (c) Ratification of the subscription payable under Clause 8.

6. QUORUM

The quorum for any meeting shall be voting delegates representing seven (7) member local governments.

7. VOTING

- (i) Each member local government shall nominate to the Secretary (or Secretariat) an official delegate who will exercise that local government’s voting rights at any meeting
- (ii) Each financial member local government may provide a written proxy to any other representative (either Councillor or Officer) of that same member local government, in the event that the Official Delegate is unable to attend any meeting.
- (iii) Each financial member local government may provide a written “Enduring Proxy” to the LAWMAC Secretary nominating any other representative (either Councillor or Officer) of another member local government to attend meetings with the capacity of formal voting rights on its behalf when the councillor representative is unable to be present. Enduring proxies are binding throughout the current local government election period unless cancelled in writing.
- (iv) Each financial member local government present shall at all meetings be entitled to one (1) vote only and the secretary (or secretariat) shall provide for divisions in voting as requested.

- (v) Any question or matter arising at any general meeting shall be decided by a majority of the votes of the delegates present at such meeting. The Chairperson presiding at any such meeting shall have a deliberative vote and, in the case of equality of votes, the Chairperson shall have a casting vote. If there is an equality of votes and the Chairperson refuses to exercise a casting vote the question or matter shall be deemed to be decided in the negative.

8. SUBSCRIPTIONS

- (i) The Annual Subscription payable to LAWMAC by each member local government shall be determined prior to the Annual General Meeting, and shall be payable by the first day of August each year.
- (ii) Annual Subscriptions payable to LAWMAC by corporate and affiliate members shall be determined prior to the Annual General Meeting, and shall be payable by the first day of August each year.

9. SECRETARIAT

- (i) Leading up to each AGM, LAWMAC will call for quotations / tenders for the secretarial service in accordance with local government procurement procedures.
- (ii) At any Annual General Meeting, LAWMAC may resolve to appoint any person (or local government, agency, organisation or firm) to be Secretary (or Secretariat) at a specified rate of remuneration.
- (iii) The terms and conditions of such appointment shall be confirmed by exchange of letters, or by formal contract, as agreed by the parties.

10. ALTERATION OF RULES AND OBJECTIVES

These Rules and Objectives may be amended, rescinded or otherwise altered, added to, or varied from time to time by a Notice of Motion carried at an Annual General Meeting.