

From: [Melanie Reid](#)
To: [Exemptions](#)
Cc: 
Subject: AA1000587 - EMRC & Ors - Submission
Date: Friday, 19 November 2021 6:44:54 PM
Attachments: [image002.png](#)

Good Afternoon Miriam

Thank you for the invitation to comment on the submission by the EMRC and their application to provide a regional waste collection service (AA1000587).

On behalf of the City as an interested third party I make the following comments from an operational perspective only and please note the feedback below has not been presented to Council for endorsement:

- Within the Perth metropolitan area, regional waste collection services are provided efficiently and effectively through multiple private sector entities.
- The services in question could be secured through a contracted private sector service provider. Therefore, it is our opinion that the provision of this service does not satisfy the criteria of the executive functions test for Local Governments (LG) under Section 3.18(3) of the *Local Government Act 1995*.

All Local Governments perform executive functions for their community, many in the form of services and facilities. Section 3.18(3) of the *Local Government Act 1995* states that:

"A local government is to satisfy itself that services and facilities that it provides –

- a. integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and*
- b. do not duplicate, to an extent that the local government considers inappropriate, service or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
- c. are managed efficiently and effectively. "*

- Considering the executive functions test, the provision of waste collection services is well provided for within the private sector and submission AA1000587 by the EMRC would result in the duplication of services provided by private sector entities.
- The City is of the opinion that economies of scale and their anticipated financial benefits for participating member Councils could just as easily be realised through a tender process that combines the volumes and needs of all three organisations; awarded to a suitable, conforming contractor from the private sector.

If this submission were to be approved, the EMRC may also extend their waste collection services to other interested Local Governments which one could argue is outside the purpose of a regional council and would also potentially further impact private sector entities.

As noted above, the City believes the proposed service by the EMRC does not meet the executive functions test under the *Local Government Act 1995* and the approval of this submission could have a significant financial impact on local businesses providing a similar service, and on this basis it should not be supported.

Regards

MELANIE REID
DIRECTOR INFRASTRUCTURE SERVICES



City of Belmont, 215 Wright Street, Cloverdale, WA 6105

Postal address: Locked Bag 379, Cloverdale WA 6985

Phone – [REDACTED] **Switchboard** – (08) 9477 7222 **Fax** – (08) 9478 1473 **Mobile** – [REDACTED]

Email – [REDACTED]

Web – www.belmont.wa.gov.au