



# **Eastern Waste Management Authority**

Trading as

**East Waste**

## ***Code of Practice***

### ***Public Access to Meetings and Documents***

**Adopted: May 2013**

This Code sets out the commitment of the Eastern Waste Management Authority to provide public access to Board meetings and associated documents. The Code also outlines why and how the Authority will use the relevant legislative provisions to restrict public access to meetings and documents.

### **Legislative Context**

The Eastern Waste Management Authority (the Authority) is a regional subsidiary established under the Local Government Act (the Act) established by the following Constituent Councils for the collection and disposal of waste:

- Adelaide Hills Council
- City of Burnside
- Campbelltown City Council
- City of Norwood, Payneham and St Peters
- City of Mitcham
- Corporation of the Town of Walkerville.

The Board of Management of the Authority (the Board) is comprised of seven Directors – one person appointed by each of the six Constituent Councils and one independent person appointed jointly by the Constituent Councils.

Chapter 6, Parts 3 and 4 of the Act details the legislative provisions applicable to a regional subsidiary relevant to public access to Board meetings and documents.

The Code of Practice also meets all the requirements of the Charter of the Authority and is a complementary code to the Code of Practice Meeting Procedures.

### **Principle**

The Authority will conduct all formal meetings of the Board in public and will provide public access to all documents considered at these meetings except where the Board is clearly satisfied that the need for confidentiality outweighs the principle of open decision making.

### **Public Access to Agendas**

At least three clear days prior to an ordinary meeting of the Board, a copy of the agenda for the meeting and the associated reports will be placed on display at the office of Authority and accessible from the Authority's website.

Where the General Manager considers that a matter should be dealt with in confidence by the Board, the nature of the matter and the reasons why it should be dealt with in confidence will be clearly noted in the General Manager's recommendation to the Board as part of the agenda, and the detail associated with the matter will be excluded from the public copy of the agenda.

### **Public Access to Meetings**

Ordinary meetings of the Board must be held at least quarterly and not scheduled before 5 pm unless unanimously decided by the Board. The Board will determine meeting times and venues. In the absence of a decision by the Board, the General Manager in consultation with the Chair may determine a meeting time and place.

Meetings of the Board are advertised on the Authority's website, open to the public, and members of the public are encouraged to attend.

### **Excluding Public Access to Meetings**

The Board may consider it necessary and appropriate to deal with information or a matter in confidence, and therefore exclude any members of the public and any unauthorised persons from the meeting.

Reports addressing the following issues may be dealt with in confidence by the Board subject to meeting the requirements of Section 90 of the Local Government Act:

- Personal affairs of any person
- Trade secrets
- Commercial matters
- Matters of security
- Matters which may prejudice the law
- Legal advice
- Matters of litigation
- Information provided to the Board on a confidential basis
- Tenders.

The Board will consider the General Manager's recommendation that a report be dealt with in confidence and if the Board determines that the report be dealt with in confidence, it will resolve to exclude the public from the meeting for the purpose of discussing the report.

### **Public Access to Minutes**

The minutes from a meeting will be publicly available within seven days from the conclusion of the meeting from the office of Authority and the Authority's website.

For those matters dealt with in confidence by the Board, the minutes from the meeting will record:

- The grounds for dealing with the report in confidence
- The public were excluded from the meeting during the Board's consideration of the report
- The period that the matter will remain confidential.

### Register of Confidential Items

The General Manager will maintain a Register of Confidential Items. The Register details:

- Title of the item
- Date of the Board meeting
- Reason for holding the matter confidential
- Date of release from confidentiality.

Orders exceeding 12 months are reviewed each year in accordance with Section 91(9)(a) of the Local Government Act.

The Register is available for public inspection at the Authority's office at 1 Temple Court Ottoway SA.

### Governance

The Code of Practice Public Access to Meetings and Documents will be reviewed within 12 months of council elections (as required by the Local Government Act) and thereafter every two years by the Board. However the Board has the discretion to review the Code at any time to take into account any significant new information, legislative, or organisational change which may warrant an amendment to this document.

A review of the Code is conducted in consultation with the Constituent Councils.

The adoption of this Code or any significant amendment of this Code is subject to the Authority's Public Consultation Policy.

Copies of the Code are available from the East Waste website [www.eastwaste.com.au](http://www.eastwaste.com.au) or the Authority's office at 1 Temple Court Ottoway SA 5013.

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This Policy was approved by the Board at its meeting on 2 May 2013  
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### *Review history*

*Nil*