

MINUTES OF THE ORDINARY BOARD MEETING OF THE EASTERN WASTE MANAGEMENT AUTHORITY

Held on Thursday 20 September 2018 at 5:36pm at the City of Norwood, Payneham & St Peters,
175 The Parade, Norwood

1. PRESENT

Directors:

Mr B Cunningham	Independent Chairperson
Cr L Green	Adelaide Hills Council
Ms C Hart	City of Prospect
Cr G Busato	Corporation of the Town of Walkerville
Cr Karen Hockley	City of Mitcham
Mr M Barone	City of Norwood, Payneham & St Peters

In Attendance:

Mr R Gregory	General Manager
Mr S Raymond	Manager, Corporate Services
Mr J Jovicevic	Dean Newbery & Partners
Ms K Vandermoer	Finance and Executive Administration Officer
Mr D Papa	Bentleys Chartered Accountants

2. APOLOGIES

Mr P Di Iulio	Campbelltown City Council
Cr G Piggott	City of Burnside

3. CONFLICTS OF INTEREST

Mr Gregory declared a perceived conflict in Agenda Item 8.3 due to his role as General Manager of East Waste.

Mr Cunningham declared a perceived conflict of interest in Item 8.4 due to his role as Chair of the Northern Adelaide Waste Management Authority.

Mr Jovicevic declared a perceived conflict of interest in Item 8.4 due to the fact he and Dean Newberry & Partners also consult to Northern Adelaide Waste Management Authority.

4. CONFIRMATION OF THE MINUTES

Moved Cr Hockley

1. That the Minutes of the Eastern Waste Management Authority Special Board Meeting held on Monday 3 September 2018, be received confirmed, and adopted.

2. That the Minutes of the Eastern Waste Management Authority Audit and Risk Management Committee Meeting held on Wednesday 12 September 2018, be received, confirmed and adopted.

3. That the Minutes of the Eastern Waste Management Authority General Manager Performance Review Committee Meeting held on Wednesday 12 September 2018, be received, confirmed and adopted.

Seconded Cr Green

Carried

5. MATTERS ARISING FROM THE MINUTES

Nil

6. QUESTIONS WITHOUT NOTICE

Nil

7. REPORTS

7.1 AUDITED FINANCIAL STATEMENTS FY2018

RECOMMENDATION

Moved Cr Busato that the Independent Chairman and General Manager be authorised to sign the Financial Statements as presented in Attachment A, and officially provided to Member Councils.

Seconded Cr Green

Carried

7.2 REGULATION 10 FINANCIAL REPORT

RECOMMENDATION 1

Moved Cr Hockley that the Board endorses the Regulation 10 Financial Report as presented in Attachment A.

Seconded Mr Barone

Carried

7.3 DRAFT ANNUAL REPORT

RECOMMENDATION

Moved Ms Hart that the Board endorses the final draft of the 2017/2018 East Waste Annual Report and authorises East Waste's General Manager to distribute to Member Councils, upon the audited financials being included in the final version.

Seconded Cr Hockley

Carried

7.4 BUDGET FRAMEWORK – DRAFT PRINCIPLES

Cr Hockley left the meeting at 5:49pm.

Cr Hockley re-entered the meeting at 5:51pm.

RECOMMENDATION

Moved Cr Hockley that the Board recommend that:

1. The list of Budget Framework Principles and Financial Targets as presented are endorsed as a basis for drafting a budget framework.
2. The current Administration Fee is retained (with CPI increase) for the 2019/20 draft budget development and is reconsidered in the 2020/21 draft budget process.
Seconded Mr Barone.

Carried

7.5 AUDIT IMPLEMENTATION PROGRESS REPORT

RECOMMENDATION

Moved Mr Barone that the Board notes the implementation status of the 2018 Accounts Payable and Payroll Audit.

Seconded Cr Green

Carried

7.6 INDEPENDENT AUDIT COMMITTEE APPOINTMENT

RECOMMENDATION

Moved Mr Barone That the Board reappoint Mr Tim Muhlhausler as an Independent Member to the East Waste Audit and Risk Management Committee for a third term, expiring 24 November 2020.

Seconded Cr Busato

Carried

7.7 APCO SUBMISSION

RECOMMENDATION

Moved Ms Hart that the Board note the submission to APCO as contained within Attachment A.

Seconded Cr Green

Carried

7.8 ANNUAL PLAN PROGRESS REPORT

RECOMMENDATION

Moved Cr Hockley that the report be received and noted.

Seconded Cr Busato

Carried

Mr Papa left the meeting at 6:13pm.

8. CONFIDENTIAL REPORTS

8.1 COUNCIL SOLUTIONS UPDATED

RECOMMENDATION 1

Moved Cr Hockley That the East Waste Board recommend:

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste; and
- (ii) would, on balance, be contrary to the public interest;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.

Seconded Cr Busato

Carried

RECOMMENDATION 3

Moved Mr Barone that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, attachment(s), discussion and minutes be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed by the East Waste Board.

Seconded Cr Green

Carried

8.2 WASTE SUBSIDIARIES MEMORANDUM OF UNDERSTANDING

RECOMMENDATION 1

Moved Mr Barone that the East Waste Board recommend:

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste; and
- (ii) would, on balance, be contrary to the public interest;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.
Seconded Cr Hockley

Carried

RECOMMENDATION 3

Moved Cr Hockley That under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, attachment(s), discussion and minutes be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed by the East Waste Board.

Seconded Cr Green

Carried

8.3 GENERAL MANAGER ANNUAL PERFORMANCE REVIEW

Mr Gregory left the meeting at 6:30pm due to a Conflict of interest.

Mr Raymond left the meeting at 6:30pm due to the item discussing a member of staff.

Ms Vandermoer left the meeting at 6:30pm due to the item discussing a member of staff.

RECOMMENDATION 1

Moved Cr Green the East Waste Board recommend:

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.

Seconded Cr Busato

Carried

RECOMMENDATION 2

Moved Cr Hockley that the Board:

1. Receives and approves the General Manager Annual Performance Plan; and

2. Proposes that the General Manager's Key Performance Goals for 2018/2019 be drafted, with a focus on developing brand, education, innovation, strategic acumen and stakeholder engagement activities (Member Councils in particular).
Seconded Cr Green **Carried**

RECOMMENDATION 3

Moved Cr Hockley that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, attachment(s) and discussion only be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed by the East Waste Board.

Seconded Cr Green

Carried

Mr Gregory re-entered the meeting at 6:35pm.

Mr Raymond re-entered the meeting at 6:35pm.

Ms Vandermoer re-entered the meeting at 6:35pm.

8.4 RECYCLING CONTRACT UPDATE (VERBAL)

Mr Cunningham left the meeting at 6:35pm due to conflict of interest.

Mr Jovicevic left the meeting at 6:35pm due to conflict of interest.

RECOMMENDATION 1

Moved Cr Busato that the East Waste Board recommend:

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste; and
- (ii) would, on balance, be contrary to the public interest;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.

Seconded Ms Hart

Carried

RECOMMENDATION 2

Moved Cr Busato that the Board note and receive verbal report.

Seconded Cr Hockley

Carried

RECOMMENDATION 3

Moved Cr Hockley that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed by the East Waste Board.
Seconded Cr Green

Carried

Mr Cunningham re-entered the meeting at 6:49pm.

Mr Jovicevic re-entered the meeting at 6:49pm.

9. OTHER BUSINESS

9.1 RESPONSE LETTER FROM MINISTER SPIERS

Following earlier advice that he would not be nominating in the upcoming Council elections, Mr Cunningham thanked Cr Busato for his time and input on the East Waste Board.

10. NEXT MEETING OF THE BOARD

The next Board Meeting is scheduled to be held on Thursday 13 December 2018 at the City of Norwood, Payneham & St Peters at 5.30pm.

11. CLOSURE OF MEETING

There being no further business the meeting closed 6:52pm.

DATE: 13/12/18

CHAIRPERSON: _____

