



Cr Carbone declared a material conflict of interest in item 9.4, on the basis that Jeffries has lodged a pre-action notice against City of Burnside, of which he is an Elected Member, and the interests of East Waste and City of Burnside may not be similar, and requested to be excluded from any discussion of the matter.

Cr Ashby declared a material conflict of interest in item 9.4, on the basis that Jeffries has lodged a pre-action notice against Walkerville Council, of which he is an Elected Member, and the interests of East Waste and Walkerville Council may not be similar, and requested to be excluded from any discussion of the matter.

Cr Stock declared a perceived conflict of interest in item 9.4, due to his membership at Norwood Football Club where Integrated Waste Services is a major Sponsor.

***Mr Gregory returned to the meeting at 5:33pm.***

***Mr Williams entered the meeting at 5:33pm.***

**5. CONFIRMATION OF THE MINUTES**

Moved Mayor Holmes-Ross that the Minutes of the Eastern Waste Management Authority Special Board Meeting held on Thursday 22 July 2021, be received confirmed, and adopted.  
Seconded Cr Ashby **Carried**

Moved Mayor Holmes-Ross that the Minutes of the Eastern Waste Management Authority Audit & Risk Management Committee Meeting held on Tuesday 21 September 2021, be further reviewed by the Audit & Risk Management Committee to ensure they are true and correct.  
Seconded Cr Ashby **Carried**

**6. MATTERS ARISING FROM THE MINUTES**

Nil

**7. QUESTIONS WITHOUT NOTICE**

Nil

Cr Stock moved that the order of business be amended, allowing for item 9.4 to be brought forward for discussion.

Seconded Mayor Holmes-Ross **Carried**

***Item 9.4 was brought forward for discussion.***

**9.4 LEGAL MATTER**

***Mr Di Iulio left the meeting at 5:35pm.***

***Cr Carbone left the meeting at 5:35pm.***

***Cr Ashby left the meeting at 5:35pm.***

***Cr Green entered the meeting at 5:41pm.***

## **RECOMMENDATION 1**

Moved Cr Green 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 subsidiary staff present and legal representation, be excluded from the meeting on the basis that the Board will receive, discuss and consider:

(h) legal advice

and the East Waste Board is satisfied that, in 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 Mayor Holmes-Ross

**Carried**

***Cr Stock left the meeting at 6:18pm.***

***Cr Stock returned to the meeting at 6:19pm.***

***Mr Maywald left the meeting at 6:22pm.***

***Mr Maywald returned to the meeting at 6:22pm.***

## **RECOMMENDATION 3**

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

Seconded Mayor Holmes-Ross

**Carried**

***Mr Williams left the meeting at 6:29pm.***

***Cr Stock left the meeting at 6:29pm.***

***Mr Di Iulio returned to the meeting at 6:30pm.***

***Cr Carbone returned to the meeting at 6:30pm.***

***Cr Ashby returned to the meeting at 6:30pm.***

***Mr Papa entered the meeting at 6:30pm.***

## **8. REPORTS**

### **8.1 AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021**

#### **RECOMMENDATION**

Moved Mr Di Iulio that the Board:

1. Receives and notes Bentley's Audit Findings Report.
2. Authorises the Chairman and General Manager to sign the Financial Statements as presented in Attachment A and provide to Member Councils.

3. Resolves that the rebate of \$470,000 is returned to Member Councils prior to 30 June 2022.

Seconded Mayor Holmes-Ross

**Carried**

*Mr Papa left the meeting at 6:40pm.*

## **8.2 REGULATION 10 FINANCIAL REPORT 2021**

### **RECOMMENDATION**

Moved Cr Green that the Board endorse the Regulation 10 Financial Report as presented in Attachment A.

Seconded Cr Carbone

**Carried**

## **8.3 ANNUAL REPORT 2020/2021**

### **RECOMMENDATION**

Moved Mayor Holmes-Ross that the Board endorses the 2020/2021 East Waste Annual Report, with the inclusion of signed Financial Statements, and authorises East Waste's General Manager to present to Member Councils.

Seconded Cr Ashby

**Carried**

## **8.4 DRAFT SEXUAL HARRASSMENT POLICY**

### **RECOMMENDATION**

Moved Mayor Holmes-Ross that the Board endorse the *Sexual Harassment Policy* as presented in Attachment A.

Seconded Cr Green

**Carried**

## **8.5 CHARTER REVIEW**

### **RECOMMENDATION**

Moved Cr Carbone that the Board notes and receives the report and presentation.

Seconded Mayor Holmes-Ross

**Carried**

## **8.6 ANNUAL PLAN PROGRESS REPORT**

### **RECOMMENDATION**

Moved Cr Ashby that the report be received and noted by the Board.

Seconded Cr Green

**Carried**

## **9. CONFIDENTIAL REPORTS**

### **9.1 TENDER EVALUATION**

#### **RECOMMENDATION 1**

Moved Cr Green 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:

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

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 Ashby

**Carried**

#### **RECOMMENDATION 3**

Moved Mr Di Iulio 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 Carbone

**Carried**

### **9.2 CONTRACT UPDATE**

#### **RECOMMENDATION 1**

Moved Mr Di Iulio 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:

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

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 Mayor Holmes-Ross

**Carried**

#### **RECOMMENDATION 3**

Moved Mr Di Iulio that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, 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 Mayor Holmes-Ross

**Carried**

### 9.3 REVIEW OF CONFIDENTIAL ORDERS

#### RECOMMENDATION 1

Moved Cr Green 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 Mayor Holmes-Ross

**Carried**

#### RECOMMENDATION 2

Moved Cr Green that the Board having read and considered the remaining Confidential Orders as presented in Attachment A are satisfied and endorse the retention of these items in confidence for a period not exceeding 12 twelve months.

Seconded Cr Carbone

**Carried**

#### RECOMMENDATION 3

Moved Cr Green that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that Attachment A to the Report, and 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 Carbone

**Carried**

#### 10. OTHER BUSINESS

Nil

#### 11. NEXT MEETING OF THE BOARD

The next Ordinary Board Meeting is scheduled to be held on Thursday 25 November 2021, commencing at 5:30pm, at the City of Norwood, Paynhem & St Peters, 175, The Parade, Norwood.

#### 12. CLOSURE OF MEETING

There being no further business the meeting closed at 7:47pm

DATE: \_\_\_\_\_

CHAIRPERSON: \_\_\_\_\_