



Eastern Waste Management Authority Ordinary Board Meeting

Agenda

Thursday 25 June 2026

Notice is hereby given that a meeting of the Board of the Eastern Waste Management Authority will be held in the Mayor's Parlour, City of Norwood, Payneham & St Peters, 175 The Parade, Norwood, on Thursday 25 June 2026 commencing at 5:30 pm.

A handwritten signature in black ink, appearing to be "L. Leyland".

Leonard Leyland
General Manager

Acknowledgement of Country

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are as important to the living Kurna people today.



Agenda

Eastern Waste Management Authority Ordinary Meeting of the Board of Management

Meeting to be held on Thursday 26 June 2025 commencing at 5.30 pm
at the City of Norwood, Payneham & St Peters, 175 The Parade, Norwood.

1. Present

2. Acknowledgement of Country

3. Apologies

4. Declarations of Interest

If a Board Director has an interest in a matter before the Board, they are asked to disclose the interest to the Board and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

5. Confirmation of the Minutes

Recommendation: 1. That the Minutes of the Eastern Waste Management Authority Ordinary Board Meeting held on held on 30 April 2026 be confirmed as a true and correct record.

6. Matters arising from the Minutes

7. Questions Without Notice

8. Presentations

8.1 2025/2026 Why Waste it Education update

9. Reports

9.1	2025/26 Education and Behaviour Change Summary Report	Page 5
9.2	General Manager Update	Page 55
9.3	General Manager's 2026/27 Key Performance Indicators	Page 62
9.4	East Waste Working Capital Assessment	Page 64
9.5	2026/27 Annual Plan and Budget	Page 70
9.6	Annual Review of Confidential Orders	Page 104
9.7	Review of Delegated Powers	Page 112
9.8	Review of the East Waste Charter	Page 130
9.9	Review of Budget Framework Policy	Page 205
9.10	Review of Treasury Management Policy	Page 222

9.11 Draft Board Code of Conduct	Page 236
9.12 Reappointment of Independent Chair to the East Waste Board	Page 242
9.13 Information Report	Page 244

10. Confidential Reports

10.1 Tender Evaluation: RFT 26042 Supply & Delivery of Compostable Bags	Page
10.2 General Manager 2026 Performance and Remuneration Review	Page

11. Other Business

12. Next Meeting of the Board

The next Ordinary East Waste Board Meeting is proposed to be held on Thursday 24 September at 5.30 pm, at the City of Norwood, Payneham & St Peters, 175 The Parade, Norwood.

13. Closure of Meeting

9.1 2025/26 Education and Behaviour Change Summary Report

Report Author Coordinator Education and Promotions

Attachments A: Summary of Education Initiatives and Reach
B: Copy of East Waste and KESAB Education Reports

Purpose and Context

This report provides the East Waste Board with an overview of education and promotional activities undertaken during the 2025/2026 financial year. It also outlines the development of targeted educational and communication materials to support weekly Food Organics and Garden Organics (FOGO) trials now being delivered in five (5) Constituent Council areas. These initiatives align with East Waste's strategic objectives and contribute to meeting State Government waste diversion targets.

Recommendation

The East Waste Board receives and notes the 2025/26 Education and Behaviour Change Summary Report, and supports the continued delivery and potential expansion of initiatives, including weekly FOGO services, in line with future legislative requirements.

Strategic Link

- Objective 3.** Provide leading and innovative behaviour change and education
- Strategy 3.2** Develop an integrated and tailored long-term community behaviour change and education program.
- Strategy 3.5** Engage schools in behaviour change and waste education.

Background

East Waste continues to deliver on the education objectives and strategies outlined in Objective 3 of the East Waste Strategic Plan, which focuses on *providing leading and innovative behaviour change and education initiatives*, and aligns these efforts with the 2025-2026 Annual Plan and the State Government's metropolitan kerbside diversion target of 70%, particularly in relation to Municipal Solid Waste and food waste.

Achieving lasting behaviour change requires consistent, ongoing education and awareness initiatives that maintain a strong and visible presence across multiple channels, ensuring regular touchpoints and reinforcement to maximise community awareness, understanding and participation.

To achieve this, East Waste's Coordinator Education & Promotions delivers the education program across Constituent Council communities through a range of integrated engagement and communication activities that ensure continuous visibility and reinforcement of key messages.

To support these objectives, East Waste currently partners with KESAB environmental solutions to deliver integrated school-based education programs and community waste and recycling tours.

A summary of the education and behaviour change strategies, along with their reach and impact, is provided in **Attachment A**.

Discussion

East Waste, in partnership with KESAB, has continued to deliver a broad range of education and behaviour change initiatives aimed at improving community waste practices.

Education and behaviour change program is delivered through:

- Education stalls at Council community events
- Event bin signage and monitoring
- Street banners and signs
- Social media – weekly tips and content
- Website information
- Content development for statewide Which Bin? campaign, website and printed resources
- Static information displays at Council libraries, civic centres and community centres
- Pop-up stalls at Shopping Centres
- Radio segment *Which Bin? Wednesdays*
- Printed resources; bin signage, stickers, flyers and factsheets
- Newsletter and e-news articles
- Competitions; '*Take the pledge to compost*' in partnership with Peats
- Community information sessions and workshops
- Linkages with international and national Campaigns: *International Compost Awareness Week, Plastic Free July* and *National Recycling Week*
- Weekly FOGO trial communications, planning and project delivery
- KESABs school education programs, engagement with students, staff, parents/caregivers and wider school community
- Community Tours.

Education efforts have focused on minimising waste generation, increasing landfill diversion, reducing food waste, and addressing key contamination issues across kerbside streams. Results from the weekly Food Organics and Garden Organics (FOGO) trials are promising, demonstrating strong community engagement, with 16,919 residents now utilising the service across five Constituent Councils with participation rates of 90% to 99% and diversion increasing from an average of 56% to 70%. meeting State Government targets.

However, the ongoing success and potential cost-saving benefits of these services remain subject to future legislative settings and changes in maintaining low opt-out rates.

While the direct impact of education alone is difficult to quantify, Constituent Councils continue to achieve a collective kerbside diversion rate of 58%, around 6% higher than the Metropolitan Adelaide average. This strong performance reflects the ongoing contribution of education and engagement

initiatives alongside service improvements. If East Waste were performing at the current Metropolitan Adelaide average diversion rate of 52%, a further 7,744 tonnes of material would be sent to landfill, resulting in an additional \$1,285,504 in landfill fees. If East Waste were still performing at its 2015–16 baseline diversion rate of 53.5%, landfill tonnages would be 5,808 tonnes higher, resulting in an additional \$964,128 in landfill fees (refer to pg 40. of **Attachment B**).

The year's outcomes highlight that successful behaviour change relies on a combination of continuous effective education, flexible kerbside services supported by legislation and investment in accessible infrastructure, particularly to address emerging challenges such as food waste and lithium battery safety.

Key Highlights 2025-2026

- East Waste's website attracted over 130,000 users, with the most visited pages being the Hard Waste booking service, Bin repair and replacement and E-waste drop-off location search.
- 45,371 residents accessed bin collection reminders and waste and recycling tips via the My Local Services app as of June 2026 (refer to pg. 21 of **Attachment B**).
- Social media activity included 196 posts with 10,330 total reactions, comments and shares (refer to pg. 20 of **Attachment B**).
- 12,760 direct engagements with community delivered through 25 event education stalls, 22 information displays, 5 Shopping Centre stalls and 10 information sessions (refer to pgs.3-13 of **Attachment B**).
- Over 2,000 mini-bin games were played at events throughout the year with 1,200 mini-truck models and 800 mini-bins given out as prizes and promotional items
- Delivery of a waste and recycling session to Campbelltown's Chinese community with Mandarin translation support. This initiative also led to the development of key educational resources in Simplified Chinese, including flyers, magnets and bin stickers (refer to pg.8 of **Attachment B**).
- Assisted in the delivery of communications, education and project support for the expansion of weekly FOGO trials across multiple councils, including:
 - City of Burnside (additional 2,944 properties in the remaining Monday collection area);
 - Adelaide Hills Council (extension into township areas, expanding to 2,266 properties);
 - City of Prospect (Tuesday and Wednesday collection areas, 3,862 properties)
 - the commencement of the City of Unley weekly FOGO trial (Thursday collection area, 3,750 properties) (refer to pgs 15-18 of **Attachment B**).
- Assisted GISA in developing and promoting the 'Let's get batteries out of bins' campaign which is now featured on four (4) East Waste collection vehicles. Also participated in a media event with the Minister in December 2025 (refer to pg. 19 of **Attachment B**).
- Eight schools are participating in East Waste's schools program, engagement with 2,208 students, as well as staff, parents/caregivers and wider community (refer to pgs. 24-35 of **Attachment B**).
- Community education tours across Constituent Councils engaged 131 participants *2 more booked end of June and July (refer to pg.36-37 of **Attachment B**).

EastWaste

- East Waste’s School education program was showcased at WMRR Conference in Coffs Harbour May 2025
- “FEAST” food waste education campaign is continuing to be delivered partnership with OzHarvest, focusing on secondary schools with 10 schools involved this year, from 43 classes, with 901 students and 11 teachers (refer to pg. 38-39 of **Attachment B**).

Conclusion

The 2025–26 Education and Engagement Program delivered by East Waste continued to achieve strong community participation and support the waste reduction and resource recovery goals outlined in the Strategic Plan. Delivered in partnership with Green Industries SA through the statewide Which Bin? program, East Waste worked alongside KESAB and Constituent Councils to deliver school education, community events, targeted campaigns, digital communications, and direct community engagement that support positive and lasting behaviour change. Weekly FOGO trials continued to deliver strong results, with education supporting increased participation and improved organics recovery alongside service and collection system changes. Overall, the program demonstrates the value of strong partnerships and practical, community-based engagement in achieving measurable environmental and economic outcomes across Constituent Councils.

Attachment A:

2025-26 Summary of Education Key Deliverables

Method of delivery	Education delivered	Residents reached and impact 2025-2026
Which Bin? website and tips	East Waste provides ongoing input and content updates to the 'Which Bin?' campaign website and associated resources, including the items lookup tool, A-Z directory, tips, printed resources and videos. This collaboration ensures the information remains accurate, locally relevant, and aligned with council needs and community behaviours.	Website, campaign and printed resources are delivered state-wide
East Waste and Council websites	East Waste and Council websites are key sources of waste and recycling information, with regular updates, news articles, and publications. The most visited pages include the Hard Waste booking page, Bin repair or replacement and E-Waste recycling.	East Waste's website had over 130,000 users this year.
My Local Services app - weekly tips received with bin collection reminders	Waste reduction and recycling tips are delivered weekly via the My Local Services app at 6pm with collection reminders on 'bin night', aligning with when waste disposal decisions are being made. The app also provides public holiday collection updates, access to East Waste services , and links to the Which Bin website . The collection calendar and bin reminders within the app help councils reduce the need for printing and distributing physical calendars.	As of 1 June 2026: 45,371 East Waste residents now use the app and receive the tips each week
Social media (mostly Facebook)	Weekly waste reduction and recycling tips, along with key topics, events, public holiday collection updates, and other important information, are promoted through East Waste and Constituent Council social media channels and align with those shared via the My Local Services app.	Facebook 3,065 followers 196 posts 201,531 views 10,323 reactions, shares, comments . This reach does not include the additional audience gained through Constituent Councils' social media platforms, where weekly tips and other content are also regularly shared.
Community event education stalls and bin monitoring	Education stalls provide valuable and impactful face-to-face engagement, giving residents the opportunity to ask questions and collect printed resources such as bin stickers and factsheets. The mini-bin sorting game adds a fun and interactive element for both children and adults, serving as an effective learning tool. Prizes like mini-bins, recycled plastic keyrings, and the newly introduced East Waste mini-truck models have proven popular and help boost engagement. Kitchen caddies and certified compostable bags are also distributed to support correct food waste disposal. Bin monitoring enables education to be delivered right at the point of waste disposal, making it timely and impactful. This approach also supports take-home education. Bin monitoring is a vital strategy for reducing contamination and maximising waste diversion at events.	25 events this year = 7,000 attendees at the stalls Norwood Christmas Pageant typically attracts over 15,000 Over 2000 mini-bin games played at the education stalls. Educational bin signage and monitoring has been key to achieving a 89% overall diversion rate, 83% being organics with minimal contamination at Campbelltown City Council's Moonlight Market.

<p>Event bin signage, food vendor education and signs</p>	<p>Councils and food vendors were supported to comply with bans on single-use takeaway food containers, coffee cups, and lids. The legislative requirements have significantly improved compliance and enforcement at Council events.</p> <p>Support included providing vendors with guidance on approved compostable and recyclable products, stallholder signage identifying the correct disposal bin for takeaway items, and new bin covers and signage to help patrons correctly sort their waste. Designed using the Which Bin? campaign branding, the signage uses clear visuals and colours to maximise visibility, encourage correct disposal, and provide valuable take-home education that reinforces waste and recycling messages beyond the event.</p>	<p>New event bin covers are available for Councils to borrow for community events. Councils have also been provided with event bin stickers and signage to support correct waste sorting and disposal.</p>
<p>‘Which Bin? Wednesdays’ Radio segment on Coast FM</p>	<p>The segment airs once a month, covering the latest recycling news, initiatives, and key topics such as food waste. Listeners also have the opportunity to call in with their ‘Which Bin?’ questions.</p>	<p>15,000 tune into the ‘Coast Wednesday Magazine’ program featuring the ‘Which Bin? Wednesdays’ segment. Current listening audience exceeds 52,000 weekly listeners (<i>not specific to East Waste Council areas, but mostly within SA</i>).</p>
<p>Council Newsletter and E-News</p>	<p>Regular articles are featured in quarterly newsletters as well as in monthly and weekly E-news bulletins. Topics include weekly waste and recycling tips, key initiatives and events eg. International Compost Awareness Week featuring compost prize winners, Plastic Free July and National Recycling Week.</p>	<p>Reach is dependent on the Council, publishing method used and frequency of the publication. All publications are available online via Council websites.</p>
<p>Why waste it? /Which Bin? education sessions/presentations</p>	<p>Cover topics of ‘avoid, reduce, reuse, recycle and compost’ and the correct disposal of items</p>	<p>6 presentations delivered = 123 residents</p>
<p>Talks/presentations linked to National/International events and campaigns</p>	<p>Information sessions are delivered with a focus on Plastic Free July, International Compost Awareness Week and National Recycling Week.</p>	<p>4 presentations delivered = 80 residents and Council staff</p>
<p>Static information displays</p>	<p>Static information displays were delivered for Plastic Free July, National Recycling Week, and International Compost Awareness Week. Councils were provided with banners, posters, display props, factsheets and flyers, bin stickers, and digital screen images for use in civic centres, libraries and community centres during July, November and May.</p>	<p>22 displays delivered = 4,600 residents approx.</p>
<p>Pop-up stalls</p>	<p>Pop-up education stalls were hosted at Pasadena Shopping Centre, Drakes Newton Unley Library and Town of Walkerville during Plastic Free July, National Recycling Week, and International Compost Awareness Week. These stalls continue to be a popular and effective way to engage with residents and share important waste and recycling information.</p>	<p>6 education stalls delivered = 960 people approx.</p>

<p>Printed resources, bin stickers and signs</p>	<p>Resources developed in partnership with Green Industries SA use Which Bin? branding and imagery to ensure consistency across South Australia.</p> <p>These include flyers, booklets, pull-up banners, factsheets, collection calendars, magnets, kerbside, school and event bin stickers, signage, and No Junk Mail stickers.</p> <p>These are distributed through events, customer service desks, displays, mailouts from website orders, and used in and contamination responses.</p> <p>Customisable signage and stickers are available for events and multi-unit dwellings, including large-format bin stickers (240L, 660L and 1100L) and site-specific signage.</p> <p>Council office bin signage and stickers have also been provided to support improved staff education and waste separation.</p>	<p>All Councils are provided with Council branded printed resources on request within a printing budget.</p> <p>Generic East Waste branded resources are also provided to all Councils</p>
<p>Weekly FOGO/Green Food and Garden Organics trials</p>	<p>Communications, education, and project delivery support was provided for the expansion of weekly FOGO trials in the City of Prospect, Adelaide Hills Council, and City of Burnside, as well as the commencement of the City of Unley trial. Support was also provided to Campbelltown City Council for the extension of its existing trial.</p> <p>Assistance included the design, procurement, and distribution of kitchen caddies, printed information for welcome packs, letters, reminder bin stickers and bin tags, FAQs, website content, and media materials.</p> <p>Training and ongoing support were also provided to East Waste, Council and customer service staff to assist with resident enquiries, manage concerns, and process opt-out and bin upsize requests.</p>	<ul style="list-style-type: none"> • City of Burnside (Sept 2025) – expansion to an additional 2,944 properties in the remaining Monday collection area • Adelaide Hills Council (Oct 2025) – expansion into township areas, an additional 2,266 properties • City of Prospect (Mar 2026) – weekly FOGO rollout across Tuesday and Wednesday collection areas, an additional 3,862 properties • City of Unley (May 2026) – commencement of weekly FOGO trial in the Thursday collection area, 3,750 properties • Campbelltown City Council – extension of weekly FOGO service within the existing area, 1,200 properties, supported by targeted education to reduce contamination and improve outcomes
<p>MUDS education</p>	<p>Managing shared bins in higher-density housing/multi-unit dwellings (MUDs) remains a significant challenge, particularly due to ongoing contamination issues.</p> <p>Support available to Councils includes:</p> <ul style="list-style-type: none"> • Bin signage and stickers both on and above bins • ‘Moving In’ and ‘Moving Out’ education packs featuring information on correct bin usage and available services such as hard waste collection. 	<p>Targeted education on key issues at specific sites</p>

	<ul style="list-style-type: none"> • Resident information sessions delivered in collaboration with Councils and/or Strata Management/ Housing Choices SA, such as <i>Which Bin? Wednesday</i>, often paired with a morning tea or sausage sizzle to encourage participation. • Doorstep education targeting issues such as contamination, illegal dumping, and the rollout of new services like green bins and kitchen caddies. 	
<p>School Education – delivered by KESAB</p>	<p>Since the launch of the East Waste/KESAB Schools Program in 2023, schools across each Constituent Council area have continued to actively participate in the year-long program delivered in partnership with KESAB.</p> <p>The program focuses on building deeper engagement with each school across Terms 1 to 4, supported by a dedicated KESAB Education Officer for each of the eight participating schools. Delivery is flexible to align with school calendars, while Student Forum and Showcase dates remain fixed.</p> <p>The engagement model progressively expands from KESAB core engagement through to staff and students, Student Action Groups, and the wider school community. Waste audits are also undertaken to ensure the program is data-driven and responsive to each school’s needs.</p> <p>Term 1 - Measure & Onboard</p> <ul style="list-style-type: none"> • Initial Bin Materials Audit • Staff information and professional development • Hidden Treasure Show <p>Term 2 - Student Agency</p> <ul style="list-style-type: none"> • Student Forum including waste site tours • Student project planning • Student artwork competition <p>Term 3 - Student Action and Competition</p> <ul style="list-style-type: none"> • Family engagement sessions • Video production & submission • Student action project support <p>Term 4 - Showcase & Re-measure</p> <ul style="list-style-type: none"> • Return Bin Materials Audit • Student showcase event • Future planning 	<p>8 schools are engaged with whole of school including 2,208 students, staff, parents/carers and the wider school community.</p> <ul style="list-style-type: none"> • St Catherine’s School Stirling (AHC) • St Patrick’s Special School (CoB) • St Joseph’s School Tranmere (CCC) • St Joseph’s School Kingswood (CoM) • St Joseph’s School Payneham (NPSP) • Prospect North Primary School (CoP) • Unley Primary School (CoU) • Wilderness School (ToW)
<p>FEAST – Food Education and Sustainability Training</p>	<p>Delivered by KESAB in partnership with OzHarvest, this is a curriculum aligned education program for primary and High Schools. Feast inspires kids to make positive food choices, waste less and be change makers in their community.</p> <p>It combines classroom learning with hands-on cooking using rescued food, alongside education on nutrition, food systems, and sustainability. The program also teaches students how to reduce food waste at home and school through better planning, storage, and portioning, while building awareness of the environmental and social impacts of food waste.</p>	<p>43 classes, 901 students, 11 teachers from 10 Schools</p> <ul style="list-style-type: none"> • Belair Primary School • Cabra Dominican College • Glenunga International High School • Heathfield High School • Prescott College • Springbank Secondary College • St Joseph’s School Kingswood • St Raphael’s School • Unley High School

		<ul style="list-style-type: none"> • Unley Primary School
<p>Community Tours – delivered by KESAB</p>	<p>Community Tours, delivered by KESAB, provide participants with first-hand insight into the journey of waste, recycling, and composting. Tours include visits to various facilities where materials are sorted, processed, and transformed for recycling or composting. Guided community tours connect residents to their waste and resource recovery system</p> <p>Sites include: CAWRA MRF, Jeffries commercial composting, Electronic Recycling Australia, Sims Metal, ReStore reuse facility and KESAB Education Centres.</p> <p>Consistent messaging across schools and community programs reinforces behaviour change for all</p> <p>Tour attendees consistently report sharing learnings with family, neighbours and community groups</p>	<p>131 residents have attended tours 9 tours delivered so far. 3 more tours are booked to be delivered in June and July.</p>

Attachment B:

East Waste EDUCATION UPDATE

Presented to:
East Waste Board
25 June 2026

EastWaste



Achieving lasting behaviour change requires consistent, ongoing education and awareness initiatives that maintain a strong and visible presence across multiple channels, ensuring regular touchpoints and reinforcement to maximise community awareness, understanding and participation.

Education and behaviour change programs are delivered through:

- Education stalls at Council community events
- Event bin signage and monitoring
- Street banners and signs
- Social media – weekly tips and content
- Website information
- Statewide Which Bin? campaign, website and printed resources
- Static information displays at Council libraries, civic centres and community centres
- Pop-up stalls at shopping centres and libraries
- Radio segment Which Bin? Wednesdays
- Printed resources; bin stickers, signage, flyers and factsheets
- Newsletter and e-news articles
- Competitions; *'Take the pledge to compost'* in partnership with Peats
- Community information sessions and workshops
- Linkages with international and national campaigns: *International Compost Awareness Week, Plastic Free July and National Recycling Week*
- Weekly FOGO trial communications, planning and project delivery
- KESABs school education programs, engagement with students, staff, parents/caregivers and wider school community
- Community Tours

25 EDUCATION STALLS at EVENTS

Visited by 7,000 residents

- Adelaide Hills Council 4
- City of Burnside 1
- Campbelltown City Council 4
- City of Mitcham 3
- City of Norwood Payneham St Peters 7
- City of Prospect 2
- City of Unley 1
- Town of Walkerville 3



2000+ mini-bin games played

Mini bins and truck models awarded as prizes



- 2300 kerbside bin stickers (1150 of each)
- 3000 magnets (1500 of each)



EDUCATIONAL SIGNAGE and BIN MONITORING at EVENTS

Campbelltown City Council's Moonlight Markets



- 89% - average diversion rate
- 83% - food and compostable organics
- minimal contamination

TOUCH-A-TRUCK

featured at City of Burnside's Enviro Expo



6 Pop-up stalls at Shopping Centres and Councils

- Drakes – Newton 2
- Unley Library 2
- Town of Walkerville 1
- Pasadena Foodland 1

10 Information sessions

- Plastic Free July 2
- National Recycling Week/Yellow Bin 1
- International Compost Awareness Week/Green Bin 2
- Why waste it? Which Bin? 6

- 1 session translated in Mandarin delivered for Campbelltown's Chinese community



CHINESE INFORMATION SESSION with translator

选择哪个垃圾桶?
黄色可回收垃圾桶

硬塑料容器
玻璃瓶和玻璃罐
罐头盒、易拉罐和喷雾器
纸箱
泡沫、纸盒和扁平的纸箱
水果盒和饼干托盒

- 请确保可回收物品已清空、干净且干燥。
- 请把可回收物品散放于垃圾桶内（不要塞入塑料袋）
- 请把容器放入黄色垃圾桶之前，取下容器的盖子

采用 100% 再生纸印刷

以下物品请勿放入黄色垃圾桶

不软塑料
不食物或花园垃圾
不衣物或鞋子
不要紧之罐或泡沫橡胶
不玻璃器皿或陶瓷器
不金属

CAMPBELLTOWN CITY COUNCIL
WHICH BIN SA.GOV.AU
EastWaste
Government of South Australia
Green Industries SA

选择哪个垃圾桶?
绿色有机垃圾桶

鸡蛋壳和牡蛎壳
奶酪和酸奶
食物残渣（生熟都可）
咖啡渣、厨余纸
纸屑和碎纸
过期或开封的食品
鸡蛋壳和牡蛎壳
剩下的草屑、树叶和花
可堆肥认证食品垃圾
标签AG 4736

请将所有食物残渣放入厨房垃圾罐，然后放入绿色垃圾桶

以下物品请勿放入绿色垃圾桶

不软塑料
不玻璃
不要紧之罐或泡沫橡胶
不金属

CAMPBELLTOWN CITY COUNCIL
WHICH BIN SA.GOV.AU
EastWaste
Government of South Australia
Green Industries SA



FEEDBACK- Information sessions

Thanks again for a fabulous presentation.

It truly was excellent and you definitely brought energy and charisma to what could be perceived ... lol ... as a lot of rubbish! You were fantastic!! Helen Lawton-French, Retirement Living Manager, Glen Woodley Estate

I shall diligently endeavour to use the correct bins for the appropriate waste, it is important to put rubbish in the correct bins to prevent contamination. I have continued to follow the practice that Megan suggested which has been most helpful. Keep up the food work by continuing to educate all of us, ie 'the masses'!! Meril Smith- Glen Woodley Estate resident

Very informative and as a bonus very entertaining! We found all the statistics about cost of processing garbage most interesting.
Jill and David Johns - Glen Woodley Estate residents

Megan, you are very knowledgeable, took time to explain and to answer questions and engaged well with our ladies. We are all more aware after your session and trying to get it right, certainly more careful where we put our rubbish.

Diane Eichmann, U3A Campbelltown – Ladies Friendship Group

It has enabled us to refine our waste disposal! Really enjoyed listening to Megan – a great presentation.

Alyson Morrison and Michael Critchley - Glen Woodley Estate residents

Megan made the session so interesting and she was so professional, knowledgeable and amusing and held our attention. We have changed all our recycling and are much more diligent about where we place items. Helen Byrne - Glen Woodley Estate resident

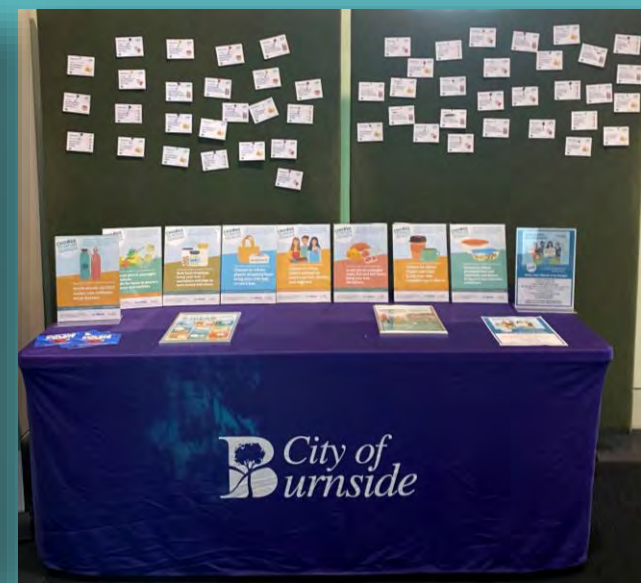
NORWOOD PAGEANT PARADE

15,000 residents





Plastic Free July

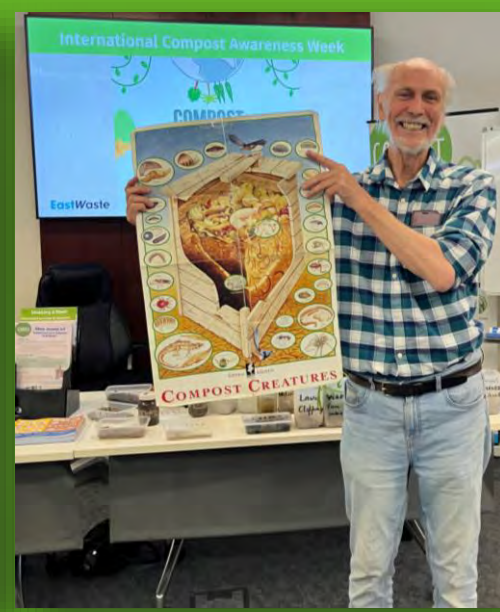




10 - 16 November 2025
NATIONAL RECYCLING WEEK
PLANET ARK

National Recycling Week/Month





International Compost Awareness Week/Month



WINNERS

'Take the Pledge to Compost'

COMPETITION

HAPPY INTERNATIONAL
COMPOST AWARENESS WEEK

WIN
2 BAGS
of compost



Commit to composting more at home
or using your kitchen caddy and green bin

Your green bin contents are composted locally, returning nutrients to the soil helping to
grow more food and reduce greenhouse gases.
By using it, you're helping the planet—thank you!

TAKE THE PLEDGE TO BE IN THE DRAW
FILL IN THE ENTRY FORM AND PLACE
IN THE ENTRY BOX AT THE CUSTOMER SERVICE DESK

Entries close Friday, 29 May 2026
Winner drawn Monday, 1 June 2026

EastWaste peats



EastWaste

WEEKLY FOGO TRIALS Expansion and Education

Communications, education and project delivery support for expansion of the weekly FOGO trials:

- **City of Burnside (Sept 2025)** – Expansion to an additional 2,944 properties in the remaining Monday collection area.
- **Adelaide Hills Council (Oct 2025)** – Expansion into township areas additional 2,266 properties.
- **City of Prospect (Mar 2026)** – Weekly FOGO trials across Tuesday and Wednesday collection areas, additional 3,862 properties.
- **City of Unley (May 2026)** – Commencement of weekly FOGO trial in the Thursday collection area with 3,750 properties.
- **Campbelltown City Council** – Extended weekly FOGO service within the existing area 1,200 properties, with targeted education reduce contamination and improve outcomes.



WANT MORE INFORMATION?

- Scan the QR code
扫描二维码获取更多资讯
- unley.sa.gov.au/weekly-fogo
- 08 8372 5111
- weeklyfogo@unley.sa.gov.au



YOUR HOUSEHOLD IS PART OF AN IMPORTANT TRIAL

FROM THURSDAY 14 MAY:

- Green organics bins will be collected weekly
- Blue landfill bins will be collected fortnightly

This brochure explains the trial and has information to help make bin collection easy.



WHAT DOES FOGO MEAN?

FOGO stands for 'Food Organics and Garden Organics' waste and is placed in the green-lid bin at home.

This means, anything that grows (or once grew) belongs in the green FOGO bin, most importantly FOOD!

PUT THESE ITEMS IN YOUR GREEN FOGO BIN

- All food waste (incl. meat, fish, bones, dairy, eggs, fruit, vegetables, & breads).
- Soiled paper products (shredded paper, paper towel, tissues, & pizza boxes).
- Australian certified compostable packaging (AS4736 or AS5810).
- All garden organics (including prunings & grass clippings).

Material placed in the green FOGO bin is collected by East Waste and taken to be turned into compost and mulch products.

WHY TRIAL?

Households taking part in Weekly FOGO Trials divert more material from landfill, helping to keep valuable resources in circulation and contributing to a more sustainable community.

Trials in other councils continue to be successful and have had great support among participating households. A trial in Unley will help Council understand how best to provide waste collection services for our community and local context.

CURRENT CONTENTS OF THE AVERAGE BLUE WASTE TO LANDFILL BIN



Environmental outcomes could be improved and Landfill fees reduced if all food and compostable material were placed in the green FOGO bin, rather than the blue landfill bin.

WHAT IS BEING TRIALLED?

From Thursday 14 May, weekly green organics bin collection will begin in your area. This service is expected to continue beyond the trial and expand to other areas, depending on future Council budgets. Your bin collection will change to:

- ORGANICS BIN (GREEN LID) Collected WEEKLY
- LANDFILL BIN (BLUE LID) Collected FORTNIGHTLY
- RECYCLING BIN (YELLOW LID) Remains the same FORTNIGHTLY



NEW TRIAL SERVICE

WHAT DO YOU NEED TO DO?
Pop your green bin out weekly from Thursday 14 May.
Your blue bin will be collected fortnightly from Thursday 14 May.



DROP-IN INFO SESSION

Have any questions or concerns? Drop in and chat to our team at a special info session.
- Unley Library, Civic Centre XXXXXXX
- Arkaba Village, XXXXXXX
- Festival of Rice - Saturday 9 May 12-9pm, Oxford Terrace

WHAT ARE THE BENEFITS?

Easier to dispose of food waste. Weekly green organics collection means you can send all your food scraps to be composted without having to worry about smell or waiting another week for collection.



Paul and his family from Parkside will be part of the trial.

"We are really excited to have the weekly FOGO trial happening in Parkside. Having the weekly green bin means we can put all our food scraps into the bin, even meat, and avoid any odours/smells, especially when the weather heats up."

Take the pressure off rates. Weekly organics collection makes it easier to use the green bin for food scraps. With more food scraps in the green bins, Council saves money. Why? Because it's five times cheaper to compost organics, rather than sending them to landfill.

Most landfill bins are half full. Because most landfill bins are half full or less, they don't need to be emptied each week. Composting creates local jobs. Putting food and garden waste in your green bin grows the local composting industry. The compost helps increase the productivity of South Australian farms and vineyards.

Better for the environment. When food waste is composted it breaks down quickly. In contrast, when food waste goes to landfill it breaks down slowly and releases methane, a powerful greenhouse gas.

BENEFITS TO YOU!

- 240L more (per fortnight) to place food scraps and garden organics in the green FOGO bin
- 100L per fortnight overall increase in kerbside bin capacity

WHAT ABOUT THE SMELLY STUFF?

Nappies and hygiene products should always go in the blue landfill bin.

TIPS

- If you're worried about the smell of nappies or other hygiene products:
 - Dispose of as much solid waste from the nappy as possible into the toilet, before placing the nappy in the landfill bin.
 - Wrap dirty nappies tightly in a nappy bag
 - Store your landfill bin in the shade
 - Make sure your lid closes properly
 - Place a small amount of odour control agent in the bottom of your bin to repel flies and odours. Use natural products such as vinegar, eucalyptus and mint oils
 - Try cloth nappies and/or reusable hygiene items, even for part of the time.

Households with children in nappies or people that have a medical condition requiring more landfill bin space can request a larger landfill bin.



TIPS FOR PET WASTE

Pet poo, if wrapped in a compostable bag or newspaper, can go in the green FOGO bin.



TIPS

- Clay, silica and crystal cat litter needs to go in the blue landfill bin as these cannot be composted.
- Try a compostable alternative such as recycled paper or tofu cat litter.

GREEN ORGANICS BIN

Remove all plastic and non-compostable packaging from food.



YELLOW RECYCLING BIN

Items go in empty, rinsed, dry and loose (not in bags).



BLUE WASTE TO LANDFILL BIN

Not all waste can be placed in the blue bin.



NEVER IN ANY BIN

Check for drop-off locations at whichebin.sa.gov.au



CERTIFIED COMPOSTABLE BAGS

Use only certified compostable bags to collect food scraps. When full, or after 2 or 3 days, tie the bag up and place it in your green bin.

Already have a caddy? You can return the new one to Council Civic Centre or Works Depot.

As part of the trial, you have received a roll of 75 compostable bags. If required, additional bags can be collected from Council Civic Centre or Works Depot.

Alternatively, you can use the bags provided in the fruit and vegetable section of most supermarkets. Always check the bag says 'compostable'.



USE A KITCHEN CADDY TO COLLECT FOOD SCRAPS

It makes it very easy!

Use only certified compostable bags in your new kitchen caddy to collect food scraps. Bags must be labelled Compostable AS 4736 and/or Home Compostable AS 5810.

You can also line your kitchen caddy with newspaper.

After 2-3 days, or when the caddy is full, place the collected foodscraps in your green FOGO bin.

TIPS

- A tight-fitting lid on your green FOGO bin will help keep flies and pests away
- Place lawn clippings, leaves, paper towel or shredded paper on food scraps to absorb moisture and reduce odours
- Freeze smallest of scraps like seafood and meat until your collection day
- All food scraps can be placed loose, or in compostable bags into your green FOGO bin.

YOUR NEW BIN COLLECTION SCHEDULE FROM 14 MAY NEW COLLECTION CYCLE

GREEN FOGO (Food Organics Garden Organics) bin collected every week
BLUE LANDFILL and GREEN FOGO bins collected fortnightly on the same day
YELLOW RECYCLING and GREEN FOGO bins collected fortnightly on the same day

MAY 2025							JUNE 2025							JULY 2025							AUGUST 2025						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
4	5	6	7	8	9	10	1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14	15	16	17	18	19	20	21	18	19	20	21	22	23	24
18	19	20	21	22	23	24	15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15
25	26	27	28	29	30	31	22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22
							29	30	31					26	27	28	29	30			23	24	25	26	27	28	29

WEEKLY FOGO TRIAL KEY DATES

FOR MORE INFORMATION
Date: 10/10/2025
Time: 10:00 AM
Location: Unley SA Gov AU
/weekly-fogo



WE ENCOURAGE ALL HOUSEHOLDS TO GIVE WEEKLY FOGO A CHANCE. Whilst most households are ready for this change, we understand that not all households are the same, so please contact City of Unley if you are having any issues with the trial.

WHAT IS IN A TYPICAL BLUE LANDFILL BIN?

Currently only 39% of the contents of the average blue landfill bin should actually be in the blue bin. 46% are compostable materials that can go in the green FOGO bin.



SHOULD GO IN THE GREEN FOGO BIN



SHOULD GO IN THE YELLOW RECYCLING BIN



DON'T KNOW WHICH BIN?

Head to WHICHEBIN.SA.GOV.AU or scan the QR code

GOES IN THE BLUE WASTE TO LANDFILL BIN

Not all waste can be placed in the blue bin. If in doubt head to WHICHEBIN.SA.GOV.AU





YOUR HOUSEHOLD IS PART OF THE WEEKLY GREEN ORGANICS BIN COLLECTION TRIAL



Dear Residents,

We are excited to let you know that your household is part of the new weekly FOGO (Food Organics Garden Organics) bin collection trial. Following successful trials by other Councils, this service is now starting in the Thursday collection area of Unley. From **Thursday 14 May 2026**, around 3,900 households and businesses, including yours, will participate in this **12-month trial**.

This service has had strong community support across other South Australian councils, and has shown many benefits including reducing waste, supporting the environment and lowering landfill fees.

WELCOME PACKS

To support your household in getting started, Council has recently delivered a Welcome Pack consisting of a kitchen caddy, compostable bags, an information booklet and collection calendar. If you have not yet received your Welcome Pack, or don't have a green FOGO bin, please contact us at weeklyfogo@unley.sa.gov.au

KEY DETAILS

- **DURATION:** 12 months, from 14 May 2026 to 13 May 2027. Continuation subject to future budgets and trial success.
- **COLLECTIONS:** Green organics (FOGO) bin weekly; blue landfill bin fortnightly.
- **NO CHANGE:** To recycling bin collection on your Thursday collection day.
- Council will review the trial results and update residents before it concludes.

WHY WEEKLY GREEN ORGANICS?

Most household waste is organic waste from the kitchen or garden. Landfill bins are often only half full, so increasing green organics collection better suits our community while supporting responsible waste management.



A FRIENDLY REMINDER...

NEXT THURSDAY,
21 MAY

PLACE YOUR

YELLOW BIN & GREEN BIN OUT FOR COLLECTION



VISIT OUR WEBSITE
unley.sa.gov.au/weekly-fogo



REMINDER: YOUR BIN COLLECTION SCHEDULE HAS CHANGED.

TRIAL WEEKLY GREEN FOGO SERVICE

Green FOGO bin → weekly
Blue landfill bin ↻ fortnightly



NEXT COLLECTIONS
Thursday, 28 May
Thursday, 11 June
EVERY FORTNIGHT THEREAFTER



NEXT COLLECTIONS
Thursday, 4 June
Thursday, 18 June
EVERY FORTNIGHT THEREAFTER



QUESTIONS? VISIT: UNLEY.SA.GOV.AU/WEEKLY-FOGO



WEEKLY FOGO TRIALS – Results Snapshot

Council	# Opt-outs	Opt-Out %	# Upsized Bins	Upsize %	Diversion Rates	Diversion rates Entire Council	Number of properties	Start Date
Adelaide Hills	22	0.8%	201	7.5%	72%	53%	2675	initial trial: 24 October 2023 then expanded 4/11/2025
Burnside 1	101	7.6%	353	26.4%	73%	61%	1336	8/09/2024 (part of Monday collection area)
Burnside 2							2944	8/09/2025 (remainder of Monday collection area)
Campbelltown	120	10.0%	136	11.3%	61%	53%	1200	1/05/2024 (Wednesday collection area)
Prospect 1	123	6.8%	229	12.7%	72%	58%	1800	5/09/2023 (Thursday collection area)
Prospect 2	243	6.3%	117	3.0%			3862	3/3/2026 and 18/3/2026 (Tuesday & Wednesday collection areas)
Unley	39	1.0%	130	3.5%			3750	14/05/2026 (Thursday collection area)
AVERAGES		5.4%		10.7%	70%	56%		

LET'S GET BATTERIES OUT OF BINS

AND PREVENT FIRES



For free drop-off search
WHICHBIN.SA.GOV.AU



LET'S GET
BATTERIES OUT OF BINS
BATTERIES IN BINS ARE A FIRE RISK

Four red circles with diagonal slashes, each containing a different type of battery or power tool (power drill, laptop, power tool, and battery pack) to indicate they are prohibited from bins.

DROP BATTERIES OFF FOR FREE
VISIT WHICHBIN.SA.GOV.AU FOR YOUR NEAREST LOCATION

WHICHBIN.SA.GOV.AU Government of South Australia
Green Industries SA



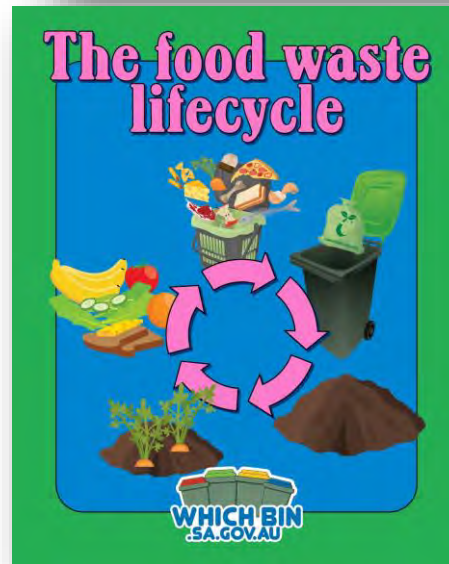
EastWaste

WEEKLY WASTE & RECYCLING TIPS

• Social Media

Facebook **3,065** followers

- 196 posts
- 201,776 views
- 10,330 reactions, shares, comments



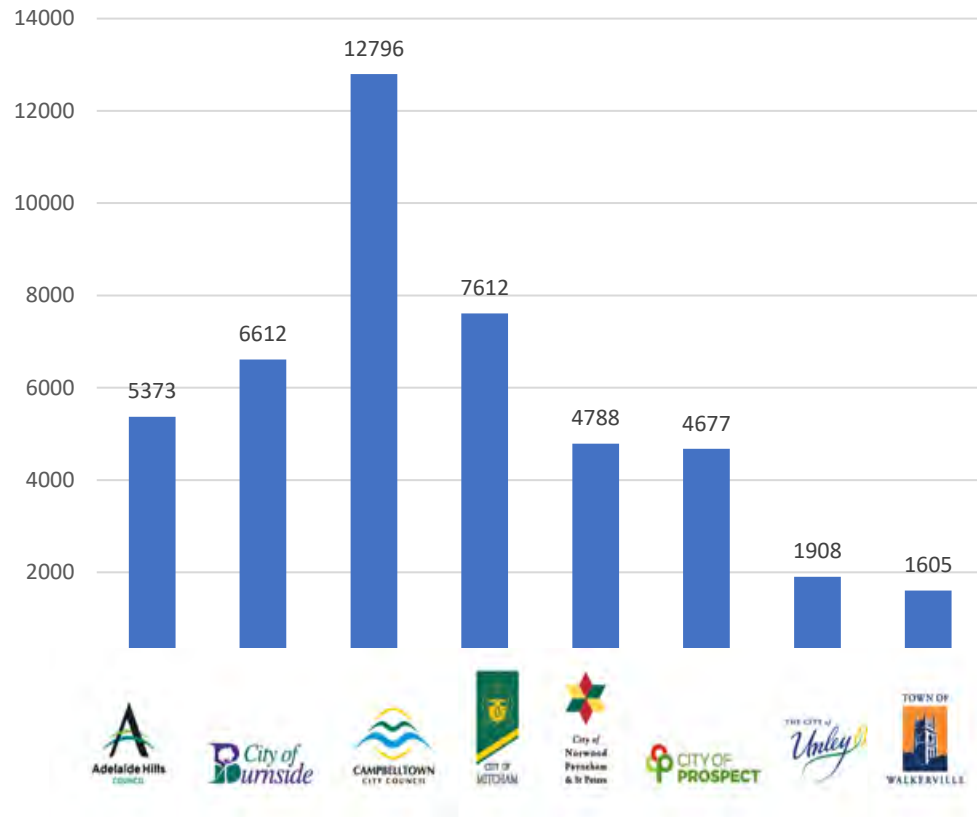


My Local Services app

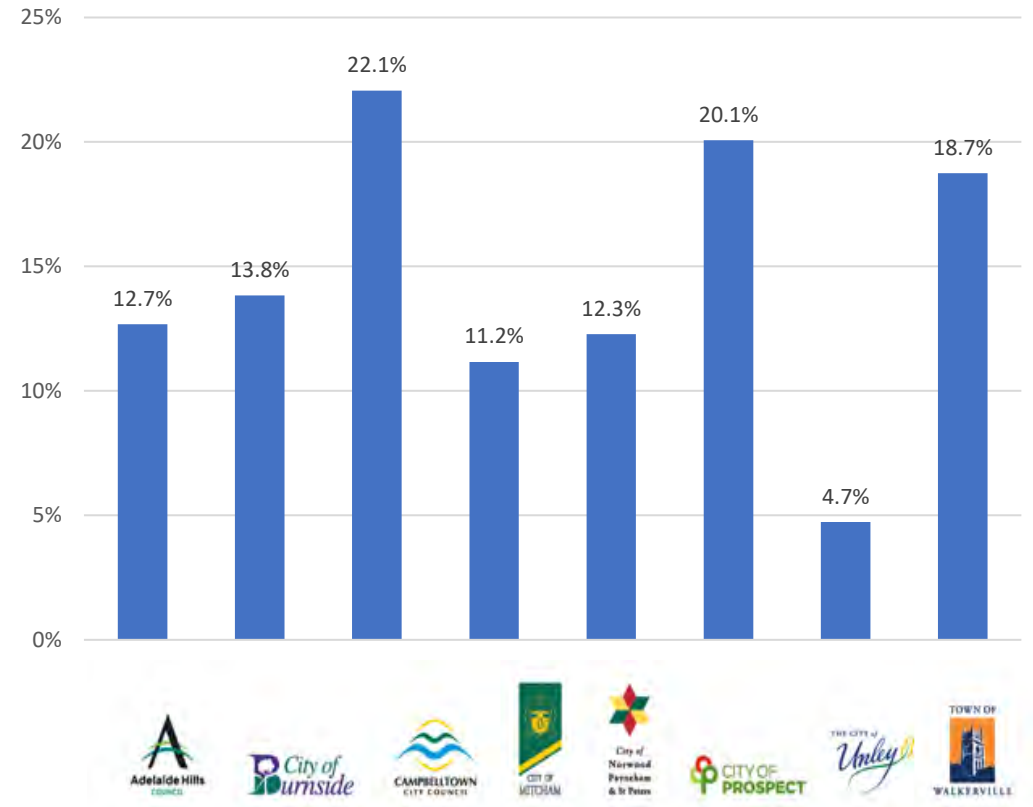
Weekly tips delivered with bin collection reminders

45,371 users

Number of users per Council



% of residents



Educational signage, flyers, banners & bin stamps

Food and compostable items

ALWAYS IN the green bin

- Compostable food service containers
- Food waste
- Compostable plates, cutlery and straws
- Compostable AS 4736 cups and lids
- Paper bags, napkins and serviettes
- Items labelled compostable AS 4736

NEVER IN the green bin

- Soft plastics or plastic bags
- Plastic packaged food
- Wipes

EastWaste

10c deposit

ALWAYS IN the 10c deposit bin

- 10c refundable bottles
- 10c refundable cans
- 10c refundable cartons

NEVER IN the 10c deposit bin

- Coffee cups
- Lids and straws
- Food or drink

EastWaste

Landfill

ALWAYS IN the red bin

- Plastic bags
- Face masks and wipes
- Mixed food packaging
- Plastic wrap and plastic food packaging
- Small plastic items
- Full lined bags

NEVER IN the red bin

- 10c drink containers
- Food or compostable items
- Liquids

EastWaste

FEED YOUR FOOD SCRAPS TO THE GREEN FOGO BIN

WHICH BIN SA.GOV.AU

EastWaste

Government of South Australia
Green Industries SA

LANDFILL

MUST NOT EXCEED 65KGS

WHICH BIN SA.GOV.AU

- Plastic bags
- Foam packaging
- Garbage bags
- Happies
- Old clothing, textiles & shoes
- Snack wrappers
- Broken crockery & glassware
- Old hoses & ropes

NO BATTERIES OR HAZARDOUS WASTE
For more information go to WHICHBIN.SA.GOV.AU

RECYCLING

MUST NOT EXCEED 65KGS

WHICH BIN SA.GOV.AU

- Tins & cans
- Cardboard
- Cartons
- Paper
- Scrunched foil wrap & trays
- Glass bottles & jars
- Plastic bottles & containers
- Empty aerosol cans

NO PLASTIC BAGS, FOAM, BATTERIES OR TEXTILES
For more information go to WHICHBIN.SA.GOV.AU

ORGANICS

MUST NOT EXCEED 65KGS

WHICH BIN SA.GOV.AU

- Cooked food
- Dairy & eggs
- Fruit & vegetables
- Meat & seafood
- AS 4736 & AS 5810 Compostable items
- Compostable takeaway packaging
- Tissues & paper towels
- Flowers, leaves, sticks & garden clippings

NO PLASTIC ITEMS INCLUDING BAGS, PACKAGING & CONTAINERS
For more information go to WHICHBIN.SA.GOV.AU



WHICH BIN?
WEDNESDAYS
monthly radio segment





KESAB East Waste Schools Program

The Year-Long Program Structure



TERM 1	TERM 2	TERM 3	TERM 4
Measure & Onboard	Student Agency	Student Action and Competition	Showcase & Re-measure
<ul style="list-style-type: none"> • Initial Bin Materials Audit • Staff information and professional development • Hidden Treasure Show 	<ul style="list-style-type: none"> • Student Forum including waste site tours • Student project planning • Student artwork competition 	<ul style="list-style-type: none"> • Family engagement sessions • Video production & submission • Student action project support 	<ul style="list-style-type: none"> • Return Bin Materials Audit • Student showcase event • Future planning

- Each of the 8 schools has a dedicated KESAB Education Officer throughout the year
- Flexible scheduling to work around school calendars — Student Forum and Showcase dates are fixed
- Engagement model progressively widens: KESAB core → Staff & Students → Student Action Group → Wider School Community
- Waste audits allow the program to be data driven

2026 Schools Program



Council	School	School details (System / Enrolment)
Adelaide Hills	St Catherine's School Stirling	Catholic 185 students
Burnside	St Patrick's Special School*	Catholic 1115 student
Campbelltown	St Joseph's School Tranmere	Catholic 210 students
Mitcham	St Joseph's School Kingswood	Catholic 260 students
Norwood Payneham St Peters	St Joseph's School Payneham	Catholic 1100 students
Prospect	Prospect North Primary School	Public 1040 students
Unley	Unley Primary School	Public 1150 students
Walkerville	Wilderness School	Independent 1170 students

2026 Schools Program



Council	School	Activity	# Participants
Adelaide Hills	St Catherine's School Stirling	Staff meeting, Audit, Hidden Treasure show, Student forum	228
Burnside	St Patrick's Special School	Staff meeting, Recycle relay	23
Campbelltown	St Joseph's School Tranmere	Staff meeting, Audit, Hidden Treasure show, Student forum	260
Mitcham	St Joseph's School Kingswood	Staff meeting, Audit, Hidden Treasure show, Student forum	371
Norwood Payneham St Peters	St Joseph's School Payneham	Staff meeting, Audit, Hidden Treasure show, Student forum	539
Prospect	Prospect North Primary School	Staff meeting, Audit, Hidden Treasure show, Student forum	345
Unley	Unley Primary School	Staff meeting, Audit, Student forum, Hidden Treasure show to come	15
Walkerville	Wilderness School	Staff meeting, Audit, Hidden Treasure show, Student forum	427

2,208
Students

Bin Materials Audits



Making waste visible — building the evidence base

- KESAB educators sort and categorise material from every school bin
- Hybrid learning activity for students and data gathering exercise
- Allows students to gain hands-on experience of what is going into their bins
- Provides waste composition data to identify problem contaminants and inform focus for the year
- Audit findings are presented to staff and students
- Return audit in Term 4 measures changes against baseline data



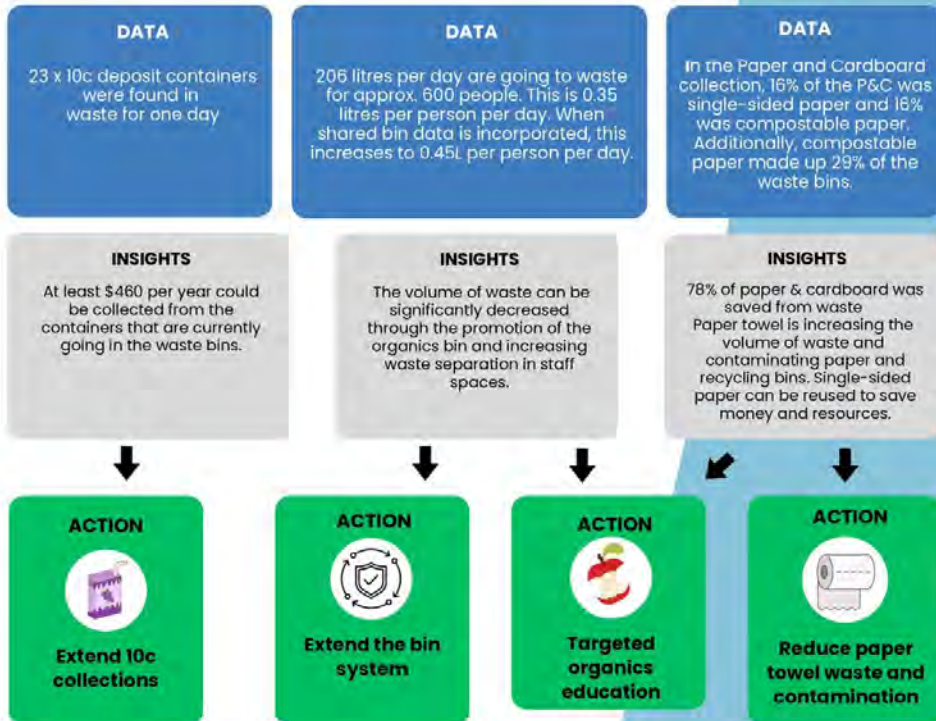
Summary

An audit of one day's worth of bin materials was conducted with the Waste, Organics and Paper and Cardboard streams from Primary School. Groups of students from the Year 3/4 classes assisted on the day. The shared bins (from the canteen, staffroom, staff toilets and library) were audited separately from the Primary School only bins, to allow for in-depth analysis. However, the overall per person per day data included both datasets. The 10c collection bins in the yard weren't included in the calculations as the length of time collecting was unknown. The findings in this report are based on what was observed and the information received.



Insights informing actions

Current systems observed



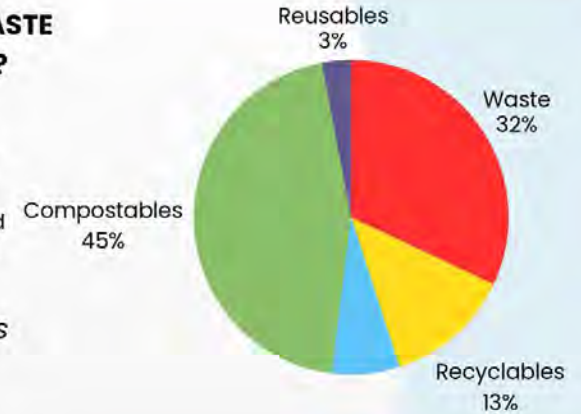
REVIEW and REFINE ACTION. Experiment. Observe what works. Adjust.



In WASTE bins Primary School's

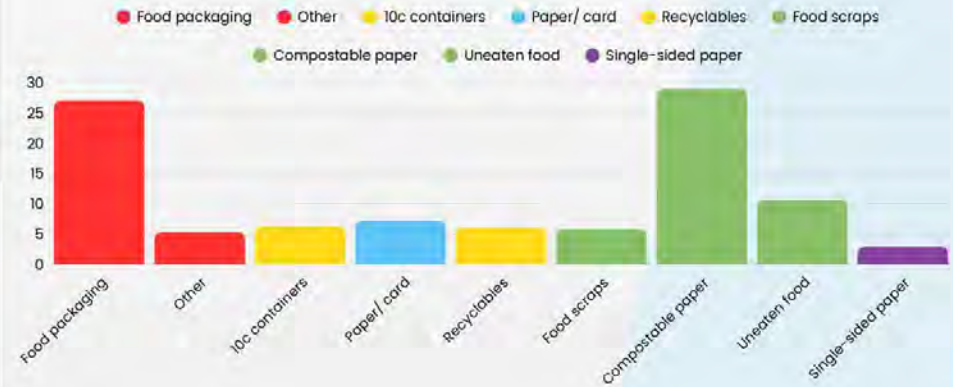
HOW MUCH OF THE WASTE IS IN THE RIGHT BIN?

This pie chart shows the percentage of items in the waste bin that should have been placed in other coloured bins. It is measured in litres.



If it's not red, there was a better bin for it!

TOTAL MATERIALS IN WASTE BINS (% VOLUME)



ONE DAY IN THE BINS



In your **WASTE** bins



In your **PAPER & CARDBOARD** bins



In your **ORGANICS** bins



Uneaten food found in the bins



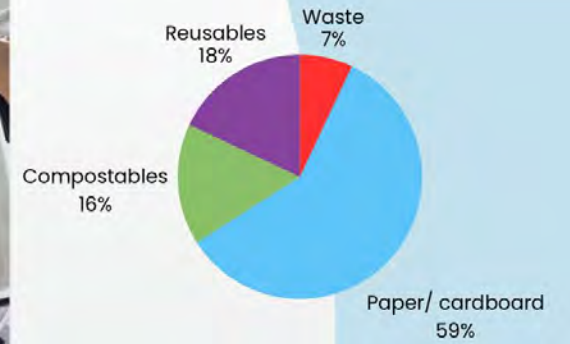
In your **10c Collection** bins



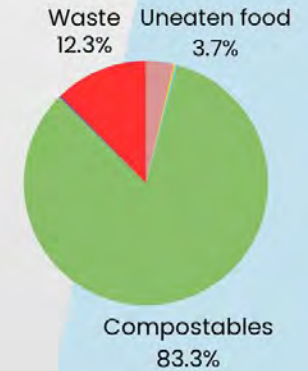
10c collections not included in calculations as the length of time collecting was unknown.



In **Primary School's PAPER & CARDBOARD** bins



In **Primary School's ORGANICS** bins



The Hidden Treasure Show

Whole-school assembly — interactive, evidence-informed

- 40-minute show to up to 250 students in an assembly setting
- Why and how we recover resources, including metals recycling, composting and plastic packaging
- Highlights correct use of school's specific bin systems
- Developed in partnership with Adelaide University based on principles of interactive and agentic learning
- Students positioned as capable decision-makers about waste
- Early research finding: the show promotes agentic behaviour and highlights the critical role of teacher attitudes in shaping student waste practice

"The show made me think a lot about what I do in my class. I just thought the kids should be doing the right thing, but how can they if I don't? Next time I use the bin in class, I might stop and ask them which one I should use, just to show them how important it is to think about it."

— Primary school teacher



Student Forum & Student-Led Action

THE STUDENT FORUM

- This year, student representatives from 7 schools gathered for a full day of workshops and collaboration
- Hosted at Electronic Recycling Australia with tours of operational waste facilities
- The day is broken up with fun collaborative activities such as recycle relays and cooking activities
- Facilitated workshops promote collaborative brainstorming including networking with other schools
- Schools choose their own action project shaped around SMART goals

EXAMPLE STUDENT ACTION PROJECTS

- Wrapper-Free Fridays
- “Nude food” lunches
- Students delivering presentations to the whole school
- Green bin promotion through student-made posters
- Student input into their school's Sustainability Plan
- Introduction of new streams such as FOGO or CDS schemes

Our main action project was to introduce recess eating time before or after reduce to reduce food waste and litter in the yard. This has worked well. We also encouraged students to take home their recyclable containers rather than using our yellow bins. This was not as consistent across the school. Our third focus was on nude food, initially introducing wrapper free Fridays. This went well.”— Primary school teacher



Initial Brainstorm

STATION 1:

What are the food waste problems at school?

STATION 2:

What strategies can change behaviour?

STATION 3:

Browse the inspiration tables to spark your creativity!



Schools Challenge Competitions

VIDEO COMPETITION

- Each school produces a short video about food waste
- Designed to be fun and for students to be creative
- Videos/songs act as an alternative form of experiential learning
- Public popular vote to further broaden engagement with a thousand of votes cast last year

“Students created a video to encourage 'Nude Food' lunchboxes and introduced an online cookbook with lunchbox recipes. We are in the processing of sharing the cookbook with the community but the focus on reducing waste in student lunchboxes has lead to some positive changes.” — Primary school teacher



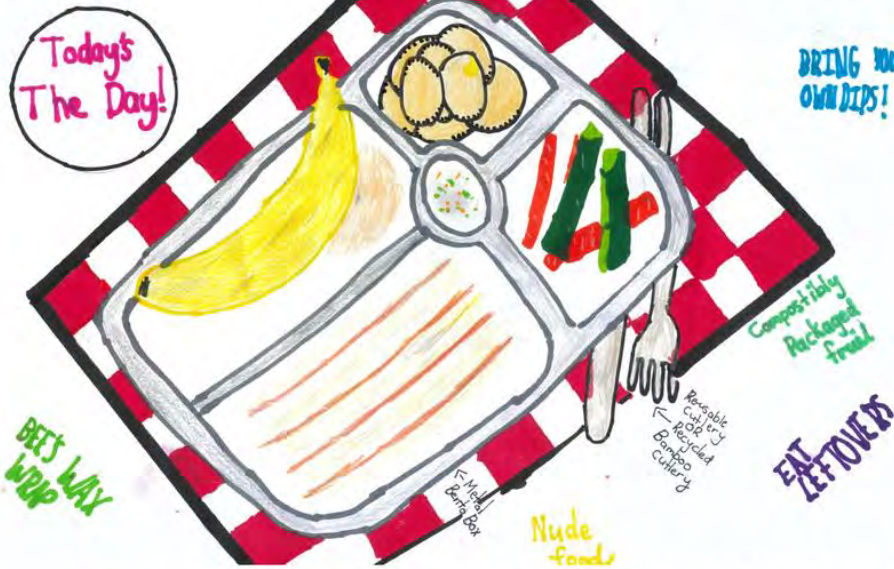
2026
CALENDAR
EastWaste
SCHOOLS PROGRAM



ARTWORK COMPETITION

- Open to all schools in East Waste Council areas, broadening the reach beyond the 8 schools involved in the main program.
- Students design informative graphics about a certain waste stream.
- Winners go into a calendar and this year the grand prize will be featured on an East Waste truck!

Cut the Plastic! Be fantastic!



Why Should We Keep Food out of landfill

Find out more at www.wa.gov.au to help keep our Earth healthy



Breaking Down

Plastic is so hard to break down because it is not synthetic it is xenobiotic. Plastic is a petroleum based material with strong stable covalent bonds. Food scraps are so easy to break down because they are natural and organic.

Did you know?

If we saved one quarter of our wasted food it would be enough to feed 87 million homeless people.

Family Engagement and Student Showcase

FAMILY ENGAGEMENT

- In Term 3 KESAB delivers family sessions alongside the student projects
- Activities include cooking demonstrations, composting and worm farm activities
- One school produced a cookbook for families based on the cooking demonstrations
- Founded on the importance of promoting waste education beyond the school gates



STUDENT SHOWCASE EVENT

- Families, students and teachers all attend a “Showcase” event at the end of the year
- Provides an opportunity for students to present their projects to industry partners, councils and the wider community
- Students receive recognition and prizes for their achievements

Community Education: Beyond the Kerb Tours



- Guided community tours connect residents to their waste and resource recovery system
- Sites include: CAWRA MRF, Jeffries commercial composting, Electronic Recycling Australia, Sims Metal, ReStore reuse facility and KESAB Education Centres
- Consistent messaging across schools and community programs reinforces behaviour change for all
- Tour attendees consistently report sharing learnings with family, neighbours and community groups



Council	Date	Attended
Adelaide Hills	4 Sep 2025	13
	22 Jul 2026	Booked
Burnside	06 Nov 2025	10
	29 May 2026	7
Campbelltown	27 Apr 2026	16
Mitcham	15 Sep 2025	16
Norwood Payneham St Peters	31 Oct 2025	17
Prospect	11 Nov 2025	22
	23 Jun 2026	Booked
Unley	29 Sep 2025	16
Walkerville	8 Jul 2025	14
	23 Jun 2026	49 Booked

Community Education: Tour Feedback



"I have changed so many things since I went on this tour a couple of days ago. I can't stop thinking about ways I can improve my own efforts. This tour was a real eye opener for me!" — **Tour participant, Campbelltown Council**



"I have changed my system of disposing of food scraps and have greatly reduced the Red Bin usage. The email you sent with all the links and videos is a great resource. Thank you for opening my eyes to where waste goes and how it is sorted and processed." — **Tour participant, Burnside Council**



LET'S FIGHT FOOD WASTE!



10 Schools

- Belair Primary School
- Cabra Dominican College
- Glenunga International High School
- Heathfield High School
- Prescott College
- Springbank Secondary College
- St Joseph's School Kingswood
- St Raphael's School
- Unley High School
- Unley Primary School

A curriculum-aligned education program for Primary and High Schools. FEAST inspires kids to make positive food choices, waste less and be change makers in their community!



FEAST 2025/2026 KESAB IMPACT REPORT



43 CLASSES



901 STUDENTS



11 TEACHERS

Student testimonials:

- “Food waste = bad. Too much goes to trash while others go hungry. Small fixes = Big impact”
- “Food waste is a major problem. It wastes resources, harms the environment and happens while many people go hungry. Reducing it is key to sustainability and fairness.”

Staff testimonials:

- “The program has been outstanding, and its resources align beautifully with our literacy goals for these learners”. – **Unley High School**
- “I really enjoyed it, they loved most of the recipes and we enjoyed learning about the impact food waste has on the environment” – **Heathfield High School**
- “We are doing FEAST as part of our Year 6 program – it fits in beautifully. This year we are also working with KESAB on Food waste reduction. We have a few events and show cases coming up and am marrying the two programs together to supercharge our education on this topic” Christine Farrugia – **St Joseph’s School Kingswood**

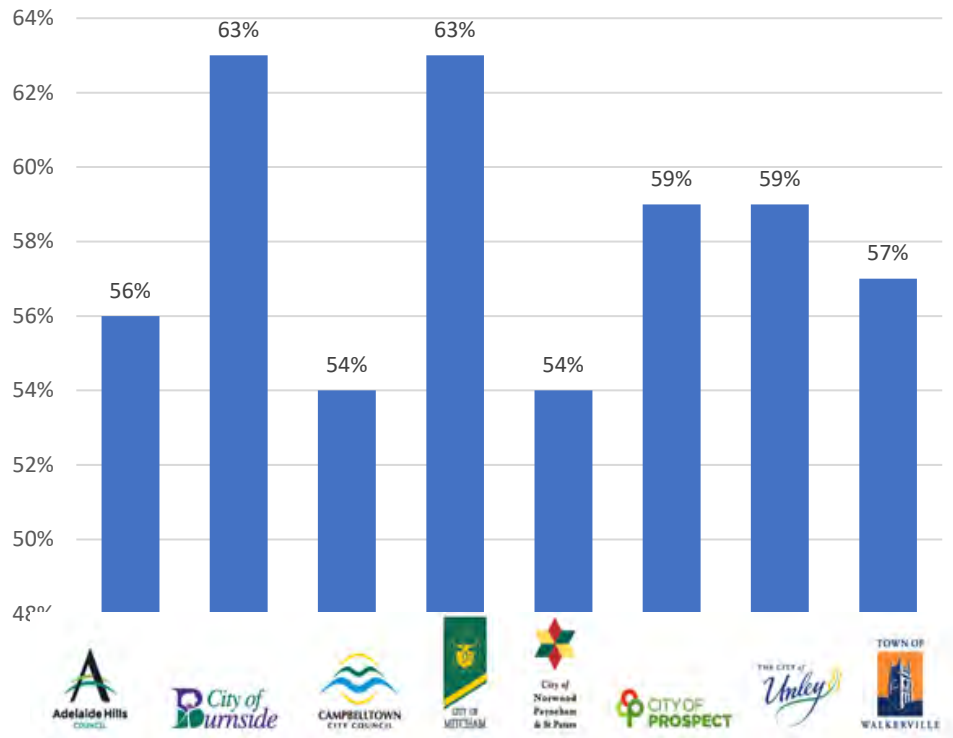
Education to Diversion

2% increase in diversion from last year = 2,816T tonnes

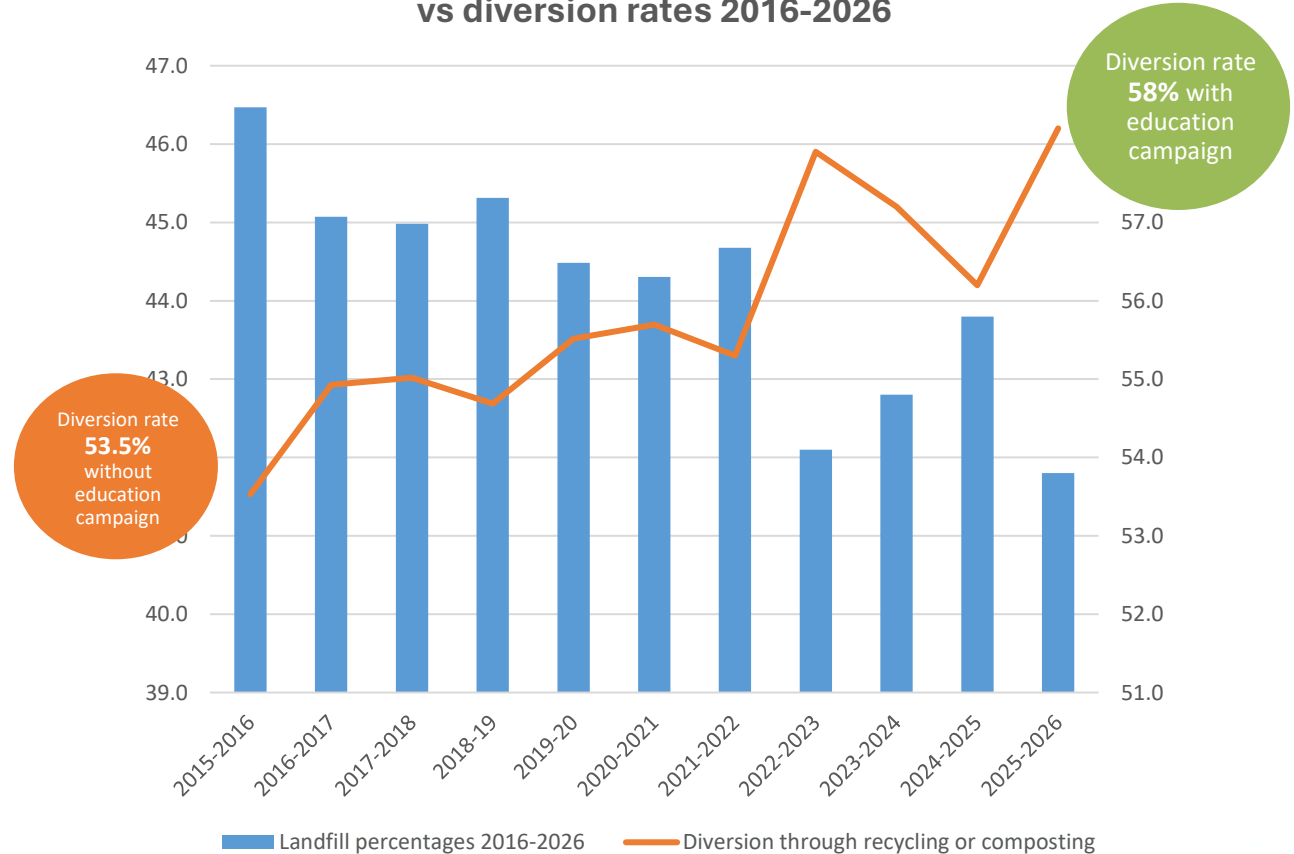
\$467,000 in landfill fee savings

vs 2015–16 baseline (46.5% landfill): \$964,128 in avoided landfill fees
 vs metropolitan average (48% landfill): \$1,285,504 in avoided landfill fees

Current diversion rates June 2026



East Waste landfill percentage vs diversion rates 2016-2026



Questions?



9.2 General Manager’s Update

Report Author: General Manager

Attachments: Nil

Purpose and Context

The purpose of this report is to provide the East Waste Board with an overview of organisational performance, strategic priorities, key risks, and emerging opportunities. The report is intended to support informed decision-making, ensure appropriate governance oversight, and align management activities with East Waste’s strategic direction.

Resolution of the Audit & Risk Management Committee

Moved Mr F Bell that the Audit & Risk Management Committee:

1. **Receives and notes the General Manager’s Report as presented on 10 June 2026.**
2. **Provides the following feedback. Administration is requested to:**
 - a. **give consideration as to the practicability of the proposed FOGO roll out going forward and present a fulsome scenario to the East Waste Board for their consideration and comment.**
 - b. **confirm with East Waste’s insurers that East Waste is covered for private property damage arising from fires.**
3. **In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the General Manager append the following documents, as tabled at the Audit & Risk Committee Meeting of 10 June 2026, to the minutes of this meeting:**
 - a. **Item 9.1 – Appendix 1- Updated FOGO Spreadsheet.**

Seconded: Ms N Caon

Carried

Recommendation/s of the Administration

That the East Waste Board receives and notes the General Manager’s Report as presented on the 25 June 2026.

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

The General Manager's Update replaces verbal briefings as the formal mechanism for providing commentary on contemporary matters aligned with East Waste's Strategic Management Plans.

Discussion

The following items are presented for the information of the East Waste Board:

1. **Constituent Council Appointment to the East Waste Audit & Risk Management Committee**

Sufficient approvals from Constituent Councils have been received for Andrian Wiguna to assume the Board Representative position on the Audit & Risk Management Committee.

2. **Items Deferred until September Board from Audit and Risk Management Committee**

The Audit & Risk Committee adjourned the meeting of 10 June 2025 at 6:39pm due to the lateness of the hour. The adjourned items, as listed below, will be considered at a special Committee meeting at which time the meeting will be resumed:

- Review of the Member Rebate and Distribution Policy
- Review of the Complaints Handling Policy.

Additionally, the Audit & Risk Management Committee have requested that the Compensation Policy redrafted and presented to a future meeting of the Committee.

3. **Status of Service Level Agreements (SLAs)**

Seven SLAs have been signed and returned. Administration is currently working with Campbelltown City Council to resolve outstanding queries. This enables progress on two subsequent stages:

1. Release of the Council facing East Waste performance dashboards. The City of Prospect and Adelaide Hills Council are currently providing feedback to support successful wider launch.
2. Clarification of Council specific guidelines regarding missed bins, contaminated bins etc. This guidance will be made available to drivers for specific Councils and Customer Service staff e.g. one council would like contaminated bins to be stickered and not collected; another council would like the bin to be stickered and collected.

4. **Proposed Reinstatement of \$1M Overdraft (CAD Facility)**

Administration is seeking approval from the East Waste Board, through a recommendation in Agenda Item 9.4 *Working Capital Assessment*, to reinstate East Waste's \$1M Cash Advance Debenture (CAD) with the Local Government Finance Authority. This facility was retained historically as an overdraft facility for contingency purposes only, in line with East Waste's existing financial policies.

The facility was never utilised, and as a result eventually lapsed without notification from the LFGA, which was identified through East Waste's most recent external financial audit. Whether reinstatement of the facility was necessary was considered through the review of East Waste's working capital requirements, with further detail provided within item 9.4 within this Agenda.

Reinstatement of the overdraft facility was supported by the Audit & Risk Management Committee to mitigate risk associated with the recommended minimum cash holdings.

Administration has included a recommendation in Item 9.5 *2026/27 Annual Plan & Budget*, to authorise Administration to apply for the Borrowings with the Local Government Finance Authority, in line with Charter requirements.

Importantly, East Waste's Working Capital paper, and review of the Budget Framework and Treasury Management Policies assume the reinstatement of the overdraft facility. Should the Board not support this recommendation, those items will require re-work and representation to the Board.

5. FOGO and Capacity

- Adelaide Hills Council have confirmed their desire to fully roll out FOGO in FY28.
- The City of Unley has commenced their FOGO trial successfully.
- The City of Burnside commence their next phase in September and planning is progressing well.
- As requested in the April Board meeting, Administration have put together approximate operational financial impacts should all Councils seek to roll out full FOGO, using both the current scenario (with opt outs) and the scenario where weekly opt outs are not required. As noted in the letters sent to CEOs for the Annual Plan and Budget, East Waste is not able to pivot to a full provision of FOGO without considerable preparation including, under either scenario, budget verification (for new assets), driver recruitment, run reviews and modifications (especially for Adelaide Hills Council) as well as time considerations such as procurement of new trucks.
- A full transition to FOGO across each Constituent Council (in either case) would not be viable without a significant planning and preparation phase, which will need to include a phased multiyear approach. The information below provides further details:
 - i. Refer to **Table 1** for all Councils – all FOGO (no opt outs) and **Table 2** for all Councils – all FOGO (with opt outs).
 - ii. These tables represent a straight 'operational cost' increase and do not factor in capacity with regards to Drivers, Trucks or Depot space. The tables have used existing additional hours identified through trials to extrapolate across the entire Council and as such are only indicative values. East Waste would need to expand both driver pool and truck fleet and construct more detailed modelling before committing to any further FOGO expansion.
 - iii. An asset and labour table is included as Table 3 to represent the approximate driver and truck increases.

TABLE 1 – ALL FOGO (NO OPT OUT)

All FOGO - NO OPT OUT					
Council	Per Fortnight Extra hours	Fornights in Year	Total Extra Hours	Cost per hour	Total Extra Cost
CampbellTown	17.5	26	455	170	77,350.00
Burnside	17.5	26	455	170	77,350.00
Mitcham	0	26	0	170	-
NPSP	12.5	26	325	170	55,250.00
Prospect	0	26	0	170	-
Unley	15	26	390	170	66,300.00
walkerville	2.5	26	65	170	11,050.00
Adelaide Hills *	74	26	1924	170	327,080.00
			3,614		\$ 614,380.00

TABLE 2 – ALL FOGO (WITH OPT OUT)

All FOGO - WITH OPT OUT						
Council	ALL FOGO Extra hours	OPT OUT HOURS	Per fortnight	Total OPT OUT Extra hrs For year	Total Extra hours with OPT OUT for ALL FOGO	Cost per hours
		Hrs Per day				
CampbellTown	455	8	40	1040	1495	254150
Burnside	455	8	40	1040	1495	254150
Mitcham	0	0	0	0	0	0
NPSP	325	6	30	780	1105	187850
Prospect	0	4	20	520	520	88400
Unley	390	6	30	780	1170	198900
walkerville	65	2	10	260	325	55250
Adelaide Hills *	1924	5.2	26	676	2600	442000
	3,614			5,096		\$ 1,480,700.00

TABLE 3 – RESOURCE IMPACT AND COSTS TO EAST WASTE

RESOURCE IMPACT AND COSTS TO EAST WASTE			
ASSET	OPT OUT	NO OPT OUT	ESTIMATED COST
Drivers	2.5	3.5	\$250-\$350K per annum
Trucks	2	3	\$1.3m-\$1.9m Capital purchase
Additional operational and financial implications			
Depot space - potentially require site expansion or another satellite site			
Additional vehicle procurement has a lead time of up to 12months			
Some runs will need to be reviewed to balance vehicle requirements day to day			
Ancillary costs will increase, fuel, uniforms, onboarding, maintenance, depreciation			
Customer service needs are likely to increase based on trial call volumes			

6. Recruitment and Staffing

- Driver levels have been low due to multiple significant personal injuries – not work related.
- Recruitment activity is underway to ensure driver levels remain at necessary level.
- The Risk and WHS Business Partner position has been filled and commenced.
- The Dispatch and Rostering role has been filled and commenced.

7. Cost Model & Working Capital

- As part of the review of Working Capital and cash flow projections, CEOs have been asked to support a move to monthly invoicing in advance, in place of the current quarterly invoicing in advance. Our finance team are working through this change with Councils.
- Updated Policy drafts are presented in this meeting for consideration for:
 - Treasury Management
 - Budget Framework.
- Refer to item 9.5 for a detailed working capital update.

8. Engagement Survey

- The engagement survey has now been converted into a 12-month plan to specifically address areas of lower relative scoring, predominantly the area of recognition and feedback and communication.

9. Tenders

- The Peats Soil and Garden Supplies contract still requires final sign off, East Waste legal support are drafting a final version, it is anticipated that sign off will be achieved prior to the Board meeting.
- The recycling tender has now closed and LGA Procurement have facilitated the first meeting of the Tender Evaluation Panel.
- The LGA Tyre panel has concluded, and East Waste will now utilise that panel for the next contract, with the acquisition plan signed off this week to go out to the panel for responses.
- The Compostable bags tender has now been closed and the tender evaluation finalised, with a recommendation to proceed with a preferred tenderer included within this Agenda.
- The Education contract will be the next release through LGA Procurement with an expected release around August 2026.
- Concurrently, LGA Procurement is working with East Waste to review spends and establish improved market approaches for a variety of core areas, such as a parts supply panel.

10. Safety

- Jamie Brooks has commenced in the role of Risk and WHS Business Partner. Jamie brings significant experience and qualifications to the role and has already made positive impacts.
- Progress continues working closely with Local Government Risk Services (LGRS) on the WHS 'Plans with Programs'. LGRS have met with Jamie with the next focus area being roll out of the target Policies for this year.

- Following the Board's enquiry at the last meeting regarding insurance coverage for vehicle fires caused by lithium batteries, Administration verified with our insurer, the Local Government Risk Services (LGRS) that East Waste is fully covered for total vehicle loss arising from lithium battery incidents under the LGAAMF Scheme Rules. No additional coverage is required for our waste specific fleet or third party protection.

11. Innovation

- AI Contamination Detection - East Waste is currently exploring a pilot program, in coordination with the City of Mitcham, for the use of dedicated AI cameras viewing the hopper for contamination tracking and identification. This pilot program would run for six (6) months and is intended to enhance the AI model.
- Hard waste market support – A workshop was held at Campbelltown, with representatives from each Council, to discuss and share hard waste opportunities and challenges. Handel also presented to the group to share the work they are undertaking in Queensland. There is potential for improved service offerings by considering supplementing existing services with commercial arrangement.
 - Handel (<https://handel360.com.au/>) are a provider of hard waste services, currently working closely with multiple Councils in Queensland. They offer a service built around flexible bags which are filled by the resident and then collected by a hook lift truck.
- A trial period of paid Microsoft 365 CoPilot capability has commenced for the Executive Leadership Team (ELT) with a goal to review over coming months consideration of time saved and efficiency impact. Initial feedback shows promise for the ELT and some select roles which work heavily with data or reporting, such as WHS. One example of this benefit is the ability to create scripts from our policies, to then generate animated training videos for driver/staff induction and testing.

12. Fuel and CPI

- We have continued to monitor fuel closely and provide updates to CEOs.
- CPI has increased considerably since the December budget figure, which has led to a general increase in many operational costs.
- It is expected that the fuel excise, 32c per litre benefit, will cease at the end of June 2026.
- The expected impact of fuel to our FY2025/26 position will be that it aligns to the original adopted Budget being approximately \$200K under BR3 predictions (which was revised during the peak of the fuel price surge).
- Anticipated impacts of Fuel prices and CPI to the 2026/27 Budget are detailed in Agenda item 9.4.

13. Charter Review

- Feedback was sought from Council CEOs which culminated in an online workshop.
- Supported changes are presented at Item 9.8 of this agenda.

14. South Australian Employment Tribunal

- A case has been brought against East Waste relating to the 2024 Enterprise Agreement.
- A conciliation meeting set for end of June 2026.
- Legal support has been engaged.
- The Audit & Risk Management Committee is aware.

15. Workshop and Maintenance Review

- The workshop and maintenance review has commenced.
- Objective is to review all aspects of maintenance to seek:
 - Safety improvements
 - Cost reductions
 - Efficiency gains.
- A dedicated working group comprised of; Workshop Lead, Workshop Administration, Manager Operational Services, Finance Business Partner, Risk and WHS Business Partner, Acting Manager Business Services and General Manager make up the workgroup.
- Feedback and input will also be sought from drivers through management and also through the use of the feedback box.

16. Internal Audit

- UHY Haines Norton to re-present two internal audits to the Audit & Risk Management Committee at the September meeting. Mrs Emma Hinchey, Independent Chair of the Committee has agreed to work with the consultants on the content of the audit reports. Updated reports will be presented to the Board following Committee consideration.

17. City of Adelaide

- Administration has submitted an expression of interest response (EOI), with regards to waste collection, following the request by City of Adelaide to participate. This work aligns with the Annual Plan and external support was utilised to achieve the EOI response and develop improved tools for future tender submissions. In the submission, Administration clearly outlined the need for Constituent Council engagement and approval before any formal submissions could be generated, such as a full tender return.

The General Manager's Update is a standing item on the Agenda.

9.3 Draft General Manager KPIs for the 2026/27 Financial Year

Report Author GMPRC Secretariat

Attachments A: Draft General Manager KPIs for the 2026/27 Financial Year

Purpose and Context

The Terms of Reference for the General Manager Performance Review Committee (the GMPR Committee) require that, each year, the Committee and the General Manager jointly develop a Performance Plan. This plan must include Key Performance Indicators (KPIs) aligned with East Waste’s Business Plan, which will serve as the basis for the subsequent performance review.

This report provides the East Waste Board with proposed KPIs, as endorsed by the General Manager Performance Review Committee, for approval and inclusion in the General Manager’s performance plan for the 2026/27 Financial Year.

Recommendation of the GMPR Committee

That the East Waste Board:

- 1. approves the draft General Manager Key Performance Indicators for the 2026/27 Financial Year Key Performance Indicators as listed in Attachment to Item 9.3, East Waste Ordinary Board Meeting, 25 June 2026.***
- 2. requests that the Draft General Manager KPIs 2026/27 form part of the General Manager’s Performance Plan for the 2026/27 Financial Year.***

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

Clause 29.3 of the Eastern Waste Management Authority Charter states that the Board shall appoint a Chief Executive Officer (General Manager) on a fixed term performance-based employment contract, which does not exceed five (5) years in duration. Mr Leonard Leyland was appointed to the position of General Manager of East Waste on 28 July 2025 for a term of three (3) years.

The General Manager Performance Review Committee (the GMPR Committee) was established by the East Waste Board in September 2025 and was tasked with determining the General Manager’s Performance Plan (including Key Performance Indicators), assessing the General Manager’s performance against that plan and determining the remuneration of the General Manager. The GMPR Committee’s role is limited to providing recommendations to the East Waste Board on these matters.

It is noted that Clause 21.3.1 of the General Manager's contract of employment states that the review of the total employment cost package may take into account the achievement of agreed key performance indicators and other performance goals.

Report

At the GMPRC Committee meeting held on 30 April 2026 it was agreed that the Presiding Member of the GMPRC Committee and the Independent Chair would draft the proposed KPI's. These KPIs have now been prepared in consultation with, and supported by, the General Manager. A copy of the KPIs proposed for the period 1 July 2026 to 30 June 2027 are included at **Attachment A** to this report, for the Board's consideration and approval.

Conclusion

It is the role of the GMPR Committee to provide draft Key Performance Indicators to the East Waste Board for consideration and adoption.

The final KPIs will be appended to the General Manager's contract of employment and will form part of the 2026/27 General Manager's Performance Plan which will inform his next performance and remuneration review.

9.4 East Waste Working Capital Assessment

Report Author General Manager

Attachments Nil.

Purpose and Context

The purpose of this report is to present the methodology and outcome of a review undertaken to determine the appropriate level of working capital to be held by East Waste. The outcome of this review has informed proposed updates to the Treasury Management, Rebate and Distribution, and Budget Framework Policies. Following review by the Audit & Risk Management Committee, this report is presented to the East Waste Board for consideration and adoption.

Resolution of the Audit & Risk Management Committee

Moved Ms N Caon that the Audit & Risk Management Committee having considered the Working Capital Assessment, Item 9.3, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. ***Provides the following feedback:***
 - a) ***That Administration monitor the cash balance over the next 12 months, paying attention to the daily cash balance and at Budget Review One present a report to the Committee reflecting the minimum and maximum daily cash balances.***
 - b) ***The Working Capital Assessment be amended to reflect that a recommendation on expenditure / dispersion would be put to the Board at the end of the financial year if the cash holdings are forecast to be in excess of six weeks.***
 - c) ***Potential rebates to Constituent Councils should be reflected in East Waste's Long Term Financial Plan.***
 - d) ***The Committee supports the re-establishment of East Waste's Cash Advance Debenture with the Local Government Finance Authority.***
2. ***Recommends that the East Waste Board adopt the recommended six-week working capital position.***
3. ***Recommends that the East Waste Board approve reinstatement of the \$1million Cash Advance Debenture.***
4. ***In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the General Manager append the following documents, as tabled at the Audit & Risk Committee Meeting of 10 June 2026, to the minutes of this meeting:***
 - a) ***Item 9.3 – Appendix 1 – Working Capital Assessment — Supporting Cash Flow Analysis.***
 - b) ***Item 9.3 – Appendix 2 – Cash Advance Debenture (CAD) Facility — Additional Information.***

Seconded: Mr F Bell

Carried

Recommendation/s of the Administration

That the East Waste Board:

- 1. Approves the recommended six-week working capital position in principle, noting that Administration will keep the Board informed on movements in Working Capital requirements through scheduled Budget Reviews and the development of East Waste's strategic financial documents.***
- 2. Approves the reinstatement of the \$1M Cash Advance Debenture (CAD) Facility for managing short-term contingencies.***

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent corporate (Governance and Financial) activities.

Background

Throughout FY2026 Administration have been working through revisions and improvements to the existing Cost Model and implementing Service Level Agreements (SLAs) for East Waste and its Constituent Councils. These activities provide greater transparency over financial and operational performance. An important component of this work relates to the treatment of surplus funds generated by East Waste. It was requested by the Audit & Risk Management Committee that East Waste develop a position regarding appropriate working capital to better enable decisions on surplus funds to be made by the Board in accordance with the East Waste Charter.

Administration have now finalised the Cost Model review and are in the final stages of implementing SLAs and using the information gathered through those packages of work have enabled Administration to model a position for the appropriate level of working capital.

Executive Summary

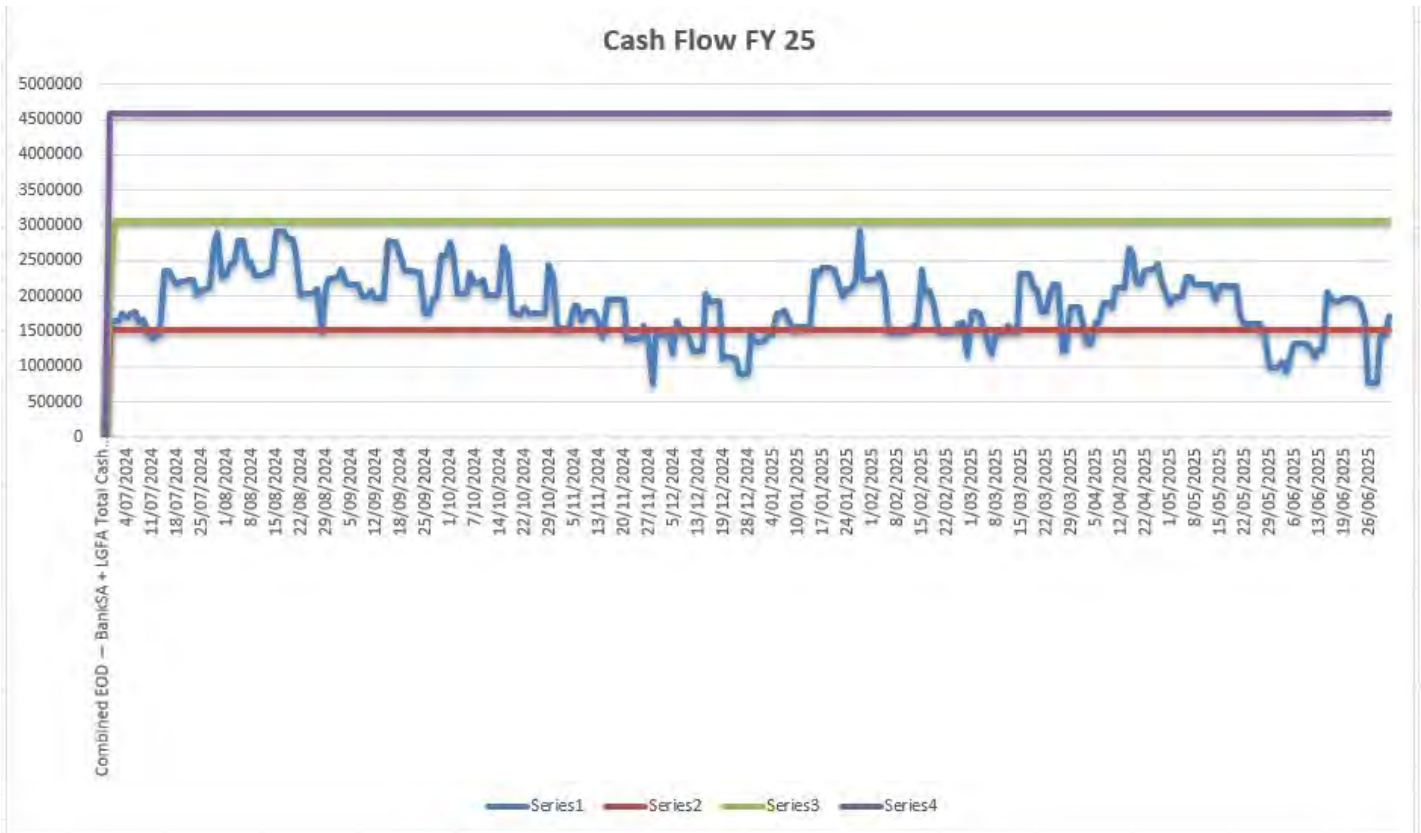
Administration recommends that six (6) weeks of total common fleet charges be recognised as the minimum working capital figure for East Waste for this coming financial year. Annual reviews will ensure the working capital position to be utilised for each subsequent financial year considers all relevant factors at that point in time when reviewing and potentially revising the recommended working capital figure.

Discussion

In determining the appropriate working capital Administration analysed East Waste's net cash position by combining daily cash balances across both its BankSA and Local Government Finance Authority (LGFA) accounts. All outgoing payments from the BankSA account were mapped against these combined balances to produce a net cash movement profile. This analysis was conducted across FY2025, FY2026 (to March 2026), and extended into a forward projection for FY2027. Across all three years, the six-week buffer was consistently supported by the data.

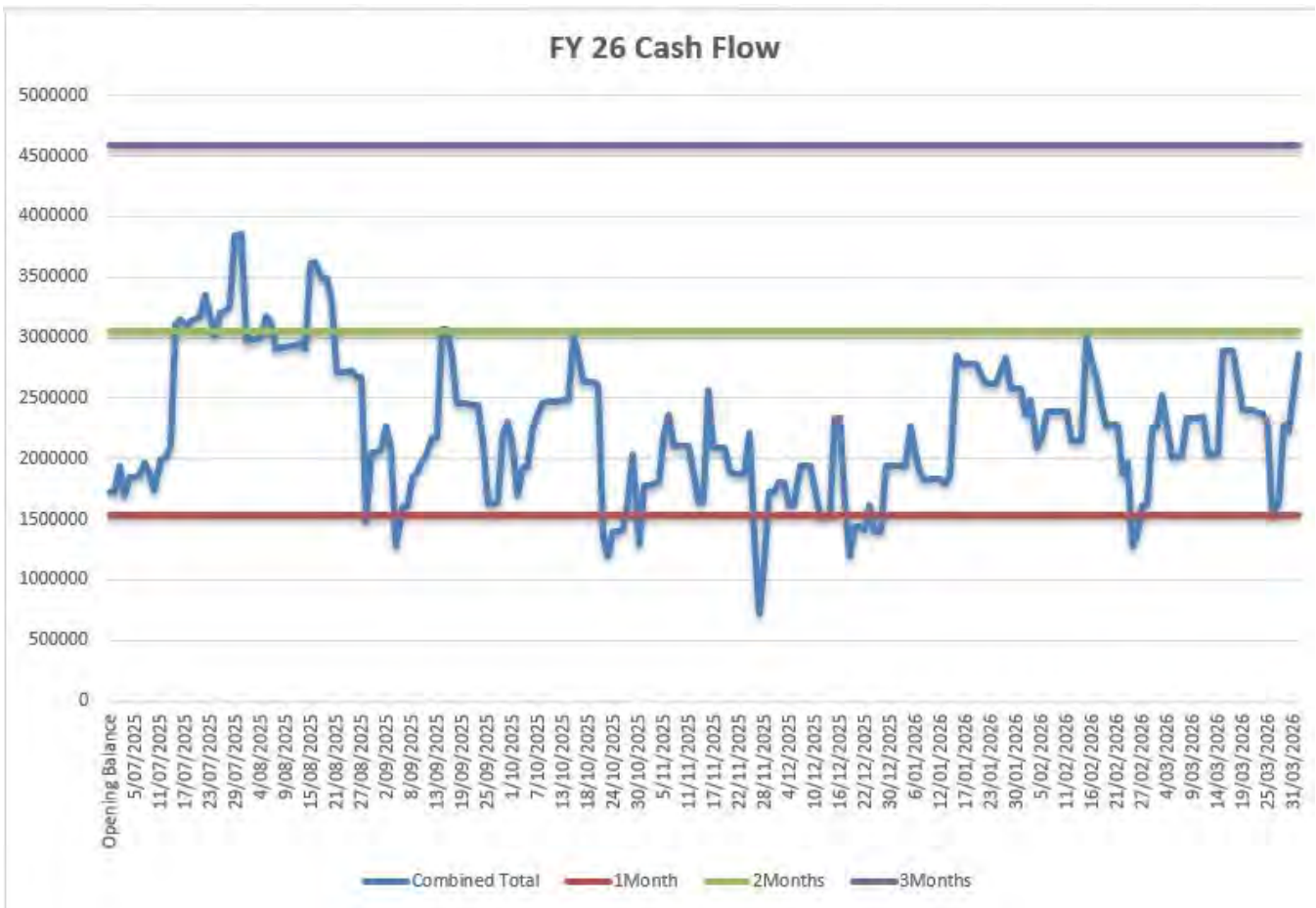
Given that East Waste operates with a single revenue stream and its customers are exclusively Constituent Councils, expenditure patterns are predictable and consistent year on year. Any material capital expenditure requires prior East Waste Board (Board) approval, providing sufficient lead time to incorporate such commitments into cash planning.

FY2025 – Cash Flow Analysis



The FY2025 chart presents East Waste’s actual combined daily cash balance from July 2024 to June 2025, benchmarked against thresholds representing one, two, and three months of cash holding. Throughout the year, the cash balance generally tracked between the one-month and two-month thresholds, reflecting a relatively stable and predictable expenditure profile. The most significant drawdown occurred in November 2024, when the cash balance approached the one-month threshold of approximately \$1.5 million, with a second notable dip in late June 2025 at year end. Outside of these pressure points, the cash balance recovered consistently, reinforcing the view that East Waste’s cash flow is predictable and manageable within the proposed working capital framework.

FY2026 – Cash Flow Analysis



The FY2026 chart presents East Waste’s actual combined daily cash balance from July 2025 to March 2026, the period for which data was available at the time of this analysis. The pattern is broadly consistent with FY2025, again tracking predominantly between the one-month and two-month thresholds. A notable drawdown is again observed in November 2025, when the cash balance fell to its lowest point of the year, dipping below the one-month threshold of approximately \$1.5 million. This recurring pressure point in November, observed across both FY2025 and FY2026, is consistent with the timing of significant expenditure obligations and reinforces the need for a working capital buffer of at least six weeks. The cash balance recovered strongly in the months following the November low and was tracking above the one-month threshold through to March 2026.

FY2027 – Forward Cash Flow Projection



The FY2027 chart presents a forward cash flow projection incorporating the transition from quarterly to monthly invoicing in advance, new truck loan repayments, and budgeted capital expenditure. The projection has been deliberately constructed on a conservative, stress tested basis, with capital expenditure assumed to fall within October and November to coincide with the major loan repayment period and model the most significant cash pressure scenario. Incoming payments from all eight Constituent Councils have been spread across different weeks of the month, consistent with payment trends observed in prior years. Despite these conservative assumptions, the projected cash balance remains above the one-month threshold throughout the year, recovering promptly from the October/November low, confirming that the six-week working capital buffer (\$2.2 million) is sufficient to absorb East Waste’s most challenging cash flow period even under a stress tested scenario.

The working capital position will be reviewed annually to ensure it remains aligned with East Waste’s evolving cash flow requirements and future reviews will also consider any Board-approved capital expenditure commitments.

To provide an additional liquidity buffer, East Waste previously held a \$1 million Cash Advance Debenture (CAD) facility with the LGFA. The CAD is a flexible, floating-rate overdraft facility offered exclusively to South Australian local government bodies through the LGFA. It operates on a come-and-go basis, allowing funds to be drawn down or repaid with 24 hours’ notice, with interest only charged on the outstanding balance. This makes it a cost-effective contingency instrument rather than a committed debt obligation.

Administration is seeking the approval of the East Waste Board to reinstate the \$1 million CAD facility as a formal overdraft backstop. This will ensure East Waste maintains an additional layer of liquidity headroom above its core working capital buffer. Administration has included a recommendation that the Board support the reinstatement of the \$1M CAD facility, with a resolution to authorise East Waste borrow the funds included in the subsequent item 9.5.

Audit & Risk Management Committee Feedback

The Audit & Risk Management Committee (the Committee) considered the proposed working capital on 10 June 2026, and supported the framework, noting several key strategic updates outlined in the Committee's resolution above, which have been incorporated into this assessment, including:

- Administration will monitor the daily cash balance over the next 12 months, and present a report to the Committee at each Budget Review reflecting the minimum and maximum daily cash balances observed over that period.
- The assessment has been amended to reflect that, where East Waste's cash holding at the end of the financial year exceeds the six-week working capital buffer, a recommendation on the most appropriate use of those funds will be brought to the Board (refer Conclusion).
- Potential rebates to Constituent Councils, or alternate use of cash reserves, arising from this assessment will be reflected in East Waste's Long Term Financial Plan through its periodic review.

Conclusion

Where East Waste's cash holding at the end of the financial year exceeds the six (6) week working capital buffer, East Waste's management will review the amount held in excess of the buffer and bring a recommendation to the East Waste Board at the September Board meeting on potential usage of funds in East Waste's best financial interest. Options that may be considered include:

- Reducing future borrowing requirements for trucks — by utilising surplus cash to fund a greater proportion of future truck purchases, thereby reducing the level of external borrowing required and lowering East Waste's future interest expense.
- Contributing towards a future depot — strengthening East Waste's balance sheet and reducing ongoing rental expenditure over the long term.
- Investing surplus funds — deploying excess cash into appropriate investment instruments to generate a return for East Waste.
- Returning value to Constituent Councils — through a distribution or rebate applied against their service charges, directly benefiting East Waste's Constituent Councils.

These options are recommendations only. The East Waste Board retains full authority to determine the most appropriate use of any funds held above the working capital threshold, ensuring all decisions are made in the best long-term interest of East Waste and its Constituent Councils.

9.5 2026/27 Annual Plan & Budget

Report Author General Manager

Attachments A: Draft 2026/27 Annual Plan
B: Constituent Councils – Approval FY2026/27 Annual Plan

Purpose and Context

To present the East Waste Board (the Board) with feedback received from Constituent Councils on East Waste's draft 2026/27 Annual Plan and Budget, for consideration and adoption.

Resolution of the Audit & Risk Management Committee

Moved Ms L Green that the Audit and Risk Management Committee:

1. **notes that in accordance with clause 53.3 of the East Waste Charter that an Absolute Majority of East Waste's Constituent Councils have approved the East Waste 2026/27 Annual Plan (Item 9.2, Attachment B, Audit & Risk Management Committee Meeting 10 June 2026).**
2. **requests that page 30 of the Annual Plan be amended to include the missing strategy at #4.**
3. **recommends that the East Waste Board notes the following matters:**
 - a) **that the fuel budget documented in the 2026/27 Budget is potentially inadequate due to the current rate of fuel.**
 - b) **that the wages budget documented in the 2026/27 Budget is potentially inadequate as the March Consumer Price Index was forecast at 3.5% but was 4.9%.**
4. **give due consideration to amending the 2026/27 Budget to reflect increased fuel and wages costs.**
5. **recommends that the East Waste Board, having considered the need to amend the 2026/27 Budget, adopts the draft East Waste 2026/27 Annual Plan and Budget, as provided in Attachment A (Item 9.2, Audit & Risk Management Committee Meeting 10 June 2026) subject to the minor amendments as requested by the Committee.**

Seconded: Mr F Bell

Carried

Recommendation/s of the Administration

That the East Waste Board:

1. **Adopts the 2026/27 Annual Business Plan and Budget, inclusive of all projects and expenditure (Attachment A, Item 9.5, East Waste Board Meeting, 25 June 2026)**
2. **Request that subject to East Waste's projected financial position at Budget Review One, the General Manager make a recommendation to the Board at the**

September 2026 Ordinary Board Meeting as to whether a revised FY2026/27 Budget should be considered, with the intent to implement from 1 January 2027.

- 3. Approves East Waste to apply for and borrow funds up to \$3,508,000 for the replacement of up to six (6) Collection Vehicles, as per the Draft 2026/27 Annual Business Plan & Budget.**
- 4. Approves East Waste to apply for and borrow additional funds up to \$1,000,000 to reinstate East Waste's Cash Advance Debenture (CAD) facility with the Local Government Finance Authority, to act as an overdraft facility and for contingency purposes only, in line with East Waste's financial policies & framework.**
- 5. Authorises the East Waste Chairperson and General Manager to execute required loan documentation and affix the Common Seal on behalf of East Waste for all borrowings undertaken in the 2026/27 financial year.**

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent corporate (Governance and Financial) activities.

Background

Section 51 of the Eastern Waste Management Authority Charter (the Charter) requires the Authority to prepare an Annual Plan that supports and informs its Budget. At its meeting on 26 February 2026, the East Waste Board considered the draft 2026/27 Annual Plan and Budget and resolved as follows:

9.2 Draft 2026/27 Annual Plan & Budget

Moved Mr S Dilena that the East Waste Board, having considered the comments provided by the Audit & Risk Management Committee:

- 1. approve the Draft East Waste 2026/27 Annual Plan, as presented in Attachment A, Item 9.2, East Waste Board Meeting, 26 February 2026, to be distributed to the Constituent Councils for their consideration and adoption.*
- 2. adopt the associated draft 2026/27 Budget and assumptions;*
- 3. authorise the General Manager to distribute to each Member Council for review and comment, the Draft 2026/27 Annual Plan, as presented in Attachment A, Item 9.2, East Waste Board Meeting, 26 February 2026, along with the proposed fees.*
- 4. authorise the General Manager to make amendments of a formatting or grammatical nature to the Draft East Waste 2026/27 Annual Plan.*

Moved Cr G Piggott that the 2026/2027 sitting fees for Independent Members of the Audit & Risk Management Committee to be as follows:

- a) Independent Chair - \$682 per meeting*
- b) Independent Member - \$568 per meeting.*

and that these fees be included in the 2026/27 Budget.

Seconded: Cr J Allanson

Carried

Following the Board's endorsement, East Waste's General Manager wrote to each Constituent Council to provide the proposed fees for the 2026/27 financial year, along with a copy of the draft Annual Plan for the Council's consideration and endorsement.

To support Constituent Councils and address any questions, East Waste Administration attended staff meetings, presented at Council, and made themselves available to respond to any queries from Council administration.

Discussion

The draft 2026/27 Annual Plan, including the Financial Statements, is presented in full at Attachment A (*refer attachment A*).

No amendments have been made to the proposed activities, projects, or the endorsed budget since the Plan was initially presented to the Board in February, nor as a result of the Constituent Council review process.

However, since the draft Annual Plan & Budget was prepared in February and distributed for Constituent Council consideration, the evolving fuel situation and elevated recorded Consumer Price Index (CPI) have implications to the FY2026/27 Budget, particularly impacting East Waste's Fuel and labour Budgets.

As at June 2026, East Waste's fuel price, excluding the fuel excise benefit, is \$0.36 per litre above the 2026/27 budgeted cost per litre. In addition, annual wage increases under East Waste's Enterprise Agreement, applicable from 1 July 2026, are linked to the Adelaide March 2026 annual CPI, which was recorded at 4.9% compared with the budgeted assumption of 3.3%. This applies to approximately 80% of East Waste's workforce. These factors present a material budget risk for FY2026/27 and will require ongoing monitoring should the Budget be adopted.

Further, the Audit & Risk Management Committee considered the East Waste 2026/27 Annual Plan at the meeting held 10 June 2026 and recommend the plan be presented to the Board for adoption, noting that the Board should consider if the proposed Budget is adequate, and give consideration as to whether the t2026/27 Budget should be amended to reflect increased costs, specifically fuel and wages expense.

Administration have considered three scenarios with regard to these elevated costs, specifically the fuel impact, and 'Other Expenses' incorporating wages & Salaries, Fleet Maintenance, and other ancillary services costs.

Each scenario assumes the cessation of the fuel excise benefit from 1 July 2026. Scenario 1 assumes fuel pricing remains consistent with current levels, while Scenarios 2 and 3 model a \$0.20 per litre decrease and increase respectively. Other Expenses are projected to remain constant in each scenario, reflective of elevated CPI.

Based on these assumptions, together with the cashflow mapping undertaken as part of the working capital review, Administration recommends endorsement of the 2026/27 Budget as presented. However, it is proposed that at Budget Review One (1) Administration assess any improvement or deterioration in fuel and wage-related cost pressures, and the resulting impact on the FY2026/27 financial outcome, including whether a revised budget should be considered.

Key assumptions

- FY27 litres assumption, shared across all scenarios: 1,363,985 litres.
- FY27 fuel adopted budget, per FY27 budget submission: \$2,236,663.
- Other Expenses includes wages increase at 4.9% and ancillary cost increases associated with heightened fuel/CPI.
- The net result column reflects the net loss projected at 30 June 2027 incorporating the budgeted 2026/27 operating surplus of \$190K, assuming all other expense lines remain as budgeted.

FY27 Budget Impact: Cost Scenario Analysis

Scenario	Name	Description	Fuel price (ex GST)	Fuel impact to budget	Other Expenses	Total impact to budget	Net result
1	Current	Removal of excise benefit + fuel price remains consistent with current pricing.	\$1.97	(\$459,812)	(\$132,867)	(\$592,679)	(\$402,298)
2	Improvement	Removal of excise benefit + fuel price drops by \$0.20 on average across full year.	\$1.79	(\$211,814)	(\$132,867)	(\$344,681)	(\$154,300)
3	Deterioration	Removal of excise benefit + fuel price increases by \$0.20 on average across full year.	\$2.15	(\$707,809)	(\$132,867)	(\$840,676)	(\$650,295)

A recommendation is included to allow Administration to apply to reinstate East Waste’s \$1M CAD facility with the Local Government Finance Authority, acting as an overdraft facility for contingency purposes only, in line with East Waste’s financial policies and framework.

Consent of Draft 2026/27 Annual Plan

In accordance with Clause 52.3 of the Charter, Constituent Councils are required to consent to the Annual Plan, not the associated fees and charges although these are included within the financial statements that form part of the Plan.

All eight Constituent Councils have approved the draft 2026/27 Annual Plan. Copies of the approvals are included at Attachment B (**refer Attachment B**). Any specific or related feedback provided through the review process is summarised in Table 1 below.

Table 1. Feedback relating to the draft 2026/27 Annual Plan

Council	Comment	East Waste Response
City of Burnside	The City of Burnside has indicated it will contact East Waste administration in the coming months to arrange a briefing session with Council Members.	East Waste has responded confirming commitment to attend a briefing session and suggested it may be a good opportunity for the new General Manager to meet Council Members.
City of Mitcham	The City of Mitcham has submitted several requests, including: - Biannual reporting from East Waste on actions undertaken to deliver cost-effective and efficient services (Objective 1 of East Waste’s Strategic Plan). - Provision of indicative budgets prior to Council’s community consultation in future	A report is being prepared to address the City of Mitcham’s request relating to Objective 1 of East Waste’s Strategic Plan. East Waste administration has also arranged meetings with the City of Mitcham to discuss the additional matters raised.

	<p>years.</p> <ul style="list-style-type: none"> - Greater transparency and reporting on cost pressures and increases. - Information on projects and innovation funded outside of routine kerbside services. - A comprehensive breakdown and impact analysis of new service initiatives and projects. 	
<p>Adelaide Hills</p>	<p>Adelaide Hills Council requested East Waste work with all Constituent Councils to develop a revised set of SMART KPI indicators for 2027-2028 that align with the strategic plan and budget.</p>	<p>East Waste is actively working on improved KPI reporting, as detailed in the SLA, and is committed to working with Constituent Councils on further enhancement and refinement of the reporting provided through Power BI.</p>

Conclusion

All Constituent Councils have approved the draft 2026/27 Annual Plan, with feedback noted and being addressed by Administration. While emerging fuel and wage pressures present potential budget risks, the Annual Plan and Budget are recommended for adoption as presented. Administration will continue to monitor these cost pressures and report back to the Board through Budget Review One, including whether a revised FY2026/27 Budget should be considered.

ANNUAL PLAN 2026/2027

OUR OBJECTIVES:

- Deliver Cost Effective & Efficient Services
- Maximise Source Separation & Recycling
- Provide Leading & Innovative Behaviour Change & Education
- Help Develop a Local Circular Economy
- Provide Leadership



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FIG. 1 East Waste Field Team

Executive Summary

The 2026/2027 financial year marks an ambitious and focused phase in the growth of the Eastern Waste Management Authority's (East Waste's) growth. Clear goals have been set to improve transparency, strengthen Constituent Council engagement, and enhance operational performance. East Waste is committed to building strong relationships and enhancing reporting capabilities. We will also continue to prioritise safety and explore further education and growth opportunities.

Technology remains a key enabler for East Waste. Cost-effective development of digital solutions will be critical to achieving targets relating to transparency and reporting. This directly supports the release of the Service Level Agreements and the work underway on improvements to the Cost Model. With both activities expected to be resolved and implemented in the coming financial year demonstrating the value add will be important.

With the change of leadership, a workforce review has also enabled further consideration of the existing delivery models and role and responsibility allocation. To this end East Waste will be looking to increase engagement with the many Local Government agencies to maximise staff efficiency and deliver improved value back to Constituent Councils, especially in the areas of safety and procurement.

East Waste is committed to a successful year that will build closer ties to our Constituent Councils, significantly move forward our transparency and reporting, increase Constituent Council input and identify opportunities for cost reduction and performance improvement through directed projects, such as the maintenance review.



FIG. 2 East Waste Administration

Background

East Waste has been delivering waste collection services since its establishment in 1928. As a regional subsidiary, East Waste is owned by and operates on behalf of Adelaide Hills Council, the City of Burnside, Campbelltown City Council, the City of Norwood Payneham & St Peters, the City of Mitcham, the City of Prospect, the City of Unley, and the Corporation of the Town of Walkerville.

East Waste operates under a [Charter](#), developed pursuant to Section 43 of the *Local Government Act 1999*, which sets out its governance, operational, and financial management framework. The East Waste Board, consisting of a director appointed by each Constituent Council and an Independent Chair, oversees the strategic direction and operational efficiency of the organisation.

Pursuant to Clause 51 of the Charter, East Waste is required to develop an Annual Plan each financial year. This Plan supports and informs the budget and provides a clear outline of East Waste's objectives, key activities, and performance measures. Additionally, it details the financial requirements of the organisation and the mechanisms for cost recovery from Constituent Councils.

The Annual Plan aligns with, and is informed by, East Waste's broader strategic planning framework, including:

- [East Waste Strategic Plan 2020-2030](#) – setting long-term sustainability and operational targets.
- [Long-Term Financial Plan](#) – ensuring financial sustainability and cost-effective service delivery.
- **Risk Management Framework** – identifying and mitigating risks to service continuity.
- **Fleet Asset Management Plan** – a standalone strategic document guiding the sustainable management, renewal, and investment in critical infrastructure and fleet.

As a regional subsidiary, East Waste remains committed to collaboration, efficiency, and innovation. Success in delivering the 2026/2027 Annual Plan is reliant on strong partnerships with Constituent Councils and key stakeholders. Through a flexible, responsive, and cost-efficient service model, East Waste continues to deliver value to Constituent Councils and their communities by providing high-quality waste collection services while navigating an evolving regulatory and environmental landscape.



FIG. 3 East Waste Truck Messaging

East Waste 2030 Strategic Plan Vision, Objectives & Strategies

VISION To be the leading waste logistics company in Australia through the delivery of innovative collection and resource management services to our Member Councils & their Communities.

OBJECTIVES	1. Deliver cost-effective and efficient services facilities	2. Maximise source separation and recycling	3. Provide leading and innovative behaviour change and education	4. Help develop a local circular economy	5. Provide leadership
STRATEGIES	<ul style="list-style-type: none"> 1.1 Attract additional services and/or new councils where further economies of-scale can be achieved 1.2 Offer a single contract for the management of the residual waste to all member councils 1.3 Partner with other councils and organisations to achieve greater synergies and economies of scale in service delivery 1.4 Investigate and implement collection technologies and innovation 1.5 Provide a consistently high standard of Customer Service 	<ul style="list-style-type: none"> 2.1 Provide more service choice and flexibility to residents on kerbside services to support them to increase their recycling levels 2.2 Provide a tailored 3-stream service to Multi-Unit Dwellings (MUDs) to support waste reduction and increased recycling 2.3 Pilot a tailored service delivery model across a business precinct(s) to support waste reduction and increased recycling 	<ul style="list-style-type: none"> 3.1 Engage in research and projects delivering evidence-based data which increases behaviour change decision making 3.2 Develop an integrated and tailored long-term community behaviour change and education program 3.3 Identify and trial behaviour change programs aimed at reducing contamination 3.4 Encourage and support councils to introduce an incentive(s) to households to reduce their landfill volumes 3.5 Engage schools in behaviour change & waste education 	<ul style="list-style-type: none"> 4.1 Support local reprocessing and procurement of recycled content products 4.2 Encourage and support councils to procure and use recycled content products 4.3 Support councils to implement sharing economy and reuse initiatives 4.4 Investigate options to process and extract the highest value from collected resources 	<ul style="list-style-type: none"> 5.1 Implement best practice safety standards 5.2 Advocate on behalf of our Member Councils 5.3 Invest in our people 5.4 Quality and transparent Corporate (Governance & Financial) Activities



2026/2027 Focus

With the appointment of a new General Manager in mid-2025, East Waste has an opportunity to review existing processes, consider operational models and conduct an overview of delivery, ranging from workforce and customer relationships to the use of technology and reporting initiatives, building upon the work already undertaken and improvements achieved in the 2025-2026 period.

For 2026/2027, East Waste's key areas of focus include:

Enhancing Constituent Council Support

- Engaging in greater Council/East Waste collaboration with increased Constituent Council participation.
- Implementing improved transparency around operational delivery and costs through timely and accessible digital reporting.
- Establishing a Service Level Agreement across all Constituent Councils to generate visibility and clarity of services offered by East Waste including target performance levels.
- Conducting cost reviews into specific projects, namely maintenance in 2026-2027 to achieve improved awareness and budget accuracy, and where possible potential savings.
- Progressing and concluding the Cost Model review which has been undertaken to improve East Waste cost transparency and achieve improved accuracy of charges with less lag. This review will result in recommended adjustments to the Cost Model and seek input from the Board and CEOs with regards to implementation timing. Two of the key outcomes will be quarterly reconciliation of Common Fleet to reflect usage and timely capture of projects/FOGO costs for allocation to relevant Constituent Councils. The updated model will be finalised and prepared for consideration and then implementation either in a mid-year adjustment or in preparation for fiscal year 2027-2028.

Strengthening Safety and Compliance

- Utilising digital reporting to ensure safety is at the forefront of leadership and team focus with consistent and reliable reporting on key safety areas.
- Tapping into existing support mechanisms and skills currently available within Local Government, such as procurement for greater governance support and cost efficiencies.
- Building strong ties with Local Government agencies, such as Local Government Risk Services to ensure work, health and safety focused priorities align with legislative requirements.
- Continuing to invest in modern fleet technology, to enhance driver and public safety.

Improving Service Delivery and Customer Satisfaction

- Continuing to refine customer service and complaint resolution processes to enhance community satisfaction, with a view to implementing greater automation.
- Establishing performance targets within the Service Level Agreements to enhance customer experience.
- Reviewing workforce roles and responsibilities to identify where additional role(s) would create service delivery improvements or efficiencies.

Driving Environmental and Circular Economy Outcomes

- Working with Constituent Councils on the delivery and formation of education programs to improve environmental outcomes and move towards an improved circular economy.
- Supporting Constituent Councils to expand Food Organics and Garden Organics (FOGO) programs, building on the success of previous trials.
- Exploring existing data for opportunities to better inform Constituent Councils of environmental improvements, such as targeted street education.
- Exploring new opportunities to reduce landfill dependency and improve resource recovery.

East Waste remains committed to delivering innovative, sustainable, and cost-effective waste management solutions. The 2026/2027 Annual Plan ensures that East Waste continues to provide high-quality, financially responsible services to its Constituent Councils while adapting to new opportunities and challenges.



FIG. 4 East Waste Truck FOGO Messaging

Timeline

The specific activities and projects to support achievement of the East Waste focus areas are detailed below. This is not an exhaustive list of all activities however, it provides an overview of primary projects, their intended timeframe, and insight into how the focus areas will be undertaken and the outcomes targeted. Business as usual and the East Waste high delivery standard will be maintained throughout these activities.

Activities, discussions, and engagement related to the focus areas will take place both before and after the specific timeframes referenced. However, dedicated focus and increased resources will be aligned with the project plans. The plans are deliberately weighted toward the June–January period, as the development of the following year’s projects should be informed by the successful completion of these activities. This cycle ensures planning begins in February, with key tasks completed ahead of the drafting of the next Annual Plan.

This timeline starts with the build up to the new year and then flows through 2026/2027.

Preparation for Focus Areas in FY26/27

Service Level Agreements (SLA):

- Finalise draft SLAs based on feedback received over the course of the activity.
- Package and send finalised draft SLAs to Constituent Councils for final round of feedback, including ready reference documents to highlight:
 - East Waste services to Constituent Councils (standard service offering).
 - East Waste standards for the public.
 - Introduction to reporting metrics that will be implemented and made available to Constituent Councils through the Power BI platform.
- Obtain Constituent Council feedback which will be collated, reviewed and implemented to enable release of the SLA documents for sign off with Constituent Councils.
- Power BI reporting operational and progress towards any additional data points initially unavailable to be commenced.
- SLAs signed and implemented.

Cost Model Development:

- Finalise workshops and proposal for Cost Model amendments for presentation to the East Waste Board with a view to obtaining approval and feedback on viable implementation dates.
- Seek approval and timing plan to engage further with Constituent Councils on impact, next steps and preparation data.
- Pause until agreed implementation period before rolling out.

Major Project for Maintenance Cost Review:

- This project is designed to explore all aspects of the East Waste maintenance spend, including, work completed inhouse vs third party support, review of systems for efficiency (maintenance software), review of procurement activities and possible creation of purchasing panels (where applicable) working with Local Government Procurement, review of data associated with specific fleet spend for improved budget setting.
- This project will run for six months and has a goal to reduce spending, generate improved reporting and improve efficiency.

Procurement Contracts:

- Recycling - planning and tender creation - well progressed, utilising LG Procurement to enable finalisation and awarding of a new contract in Quarter one of FY26/27.
- Tyres – finalised and awarded before FY26/27.

High Level Focus Area Timing Plan

Quarter One

- Recycling contract awarded and ready to commence at end of current agreement.
- Maintenance Cost Review Project continues.
- Growth Opportunity Review - minor project commences:
 - A three-month project to explore East Waste services and capability and how these services might be costed and packaged in the consideration of additional delivery opportunities.
- Charter Review commences.
- Advocacy - minor project commences:
 - This project will run throughout the year. With the commencement of the new financial year East Waste will actively engage with Constituent Councils to establish advocacy focal areas where East Waste can provide support based on subject matter expertise. For example, the opportunity to engage with Council planning departments to gain an understanding of planned growth and resource implications.
 - Topics which are currently considered likely include lithium battery safety and FOGO.

Quarter Two

- Recycling contract signed and operations active.
- Conclude Maintenance Cost project.
- Conclude Growth Opportunity Review project.
- Charter review continues.
- Digital Technology - minor project commences:
 - This project is to explore and identify technology available to improve East Waste services, reporting, education and safety.

- Topics already identified for exploration include:
 - RFID tagging (this technology is already present in some of the collection areas).
 - AI camera integration into fleet for contamination capture.
 - Gamification applications to support education delivery.
- Annual Mayor and CEOs presentation to reflect on progress and inform the Annual Plan for 2027/2028.
- Strategic Review – major project commences:
 - A project to review the East Waste Strategic Plan to ensure it aligns with the East Waste model and our Constituent Council ambitions for East Waste. Full review and update will extend into the following financial year.
- Commence work on internal reporting cycle, with budget setting and Annual Plan preparation.

Quarter Three

- Conclude Digital Technology project.
- Conclude Charter Review.
- Prepare and present 2027/2028 Annual Plan and projects.
- Continue the Strategic Review.
- Focus on concluding internal reporting.
- Finalisation of the Annual Business Plan and Budget.

Quarter Four

- Consolidate project status, close out any delayed activities.
- Continue the Strategic Review.
- Ensure preparation for 2027-2028 Focus Areas is complete.

EAST WASTE - ANNUAL PLAN PROJECT TIMELINE				
Task	Q1	Q2	Q3	Q4
Recycling Contract				
Maintenance Cost Review Project				
Growth Opportunity Review				
Charter Review				
Advocacy				
Digital Technology Project				
Annual Mayor and CEO Presentation				
Strategic Plan Review				
Internal Reporting Cycle & Annual Plan				
Prepare and Present Annual Plan Projects FY28				
Finalise Annual Plan and Budget				
Consolidate Project Status				
Prepare FY28 Focus Areas				

FIG. 5 East Waste Annual Plan Project Timeline

2026/2027 Annual Plan Deliverables

NO.	ACTIVITY/PROJECT	OVERVIEW	OBJECTIVE	STRATEGY	MAIN KPI/TARGET	BUDGET
DELIVER COST EFFECTIVE AND EFFICIENT SERVICES AND FACILITIES						
1.	Continue & Expand Core services	East Waste optimisation will come from working closely with Constituent Councils to ensure the existing suite of services are understood and utilised, where desired, to the maximum benefit of the Constituent Council.	Deliver cost effective and efficient services and facilities	1.1	Vision Target	Recurrent
2.	Investigate opportunities outside of existing Constituent Councils	When potential opportunities arise, East Waste will investigate service provision to non-Constituent Councils and subsidiaries where the benefit and/or the fostering of partnerships can drive value to Constituent Councils. Funding is allocated to support creation of a standardised tender approach to be utilised for service offerings.	Deliver cost effective and efficient services and facilities	1.1	Vision Target	\$0.010M
3.	Review Strategic Plan	Build upon Constituent Council engagement and Service Level Agreements to review the East Waste Strategic Plan for alignment with Constituent Council ambitions and East Waste delivery targets.	Overarching strategy		Vision Target	\$0.005M
4.	Fleet Maintenance Review	Undertake a review of Fleet Maintenance processes and costs to identify potential efficiency and saving opportunities.	Deliver cost effective and efficient services and facilities	1.1	Vision Target	\$0.020M

5.	Review and improve digital systems for reporting and delivery	Identify first tranche of focus for reporting enhancement (Power BI) and systems requiring replacement or improvement (Gestalt).	Deliver cost effective and efficient services and facilities	1.4	Vision Target	\$0.015M
6.	Workforce review	Review workforce to consider adding any new role(s) that may bring an overall benefit to Constituent Councils through improved East Waste performance.	Deliver cost effective and efficient services and facilities	1.5	Vision Target	\$0.010M

MAXIMISE SOURCE SEPARATION & RECYCLING

7.	Advance trials and rollout of weekly organics collections	Through the success of current weekly organics trials (FOGO Trials) undertaken by East Waste and more broadly across metropolitan Adelaide, East Waste will work with Constituent Councils to increase the trials/rollouts.	Maximise source separation and recycling	2.1	Demonstrable improvement in diversion rates Support an effective and informative trial	Charges allocated in alignment with cost
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PROVIDE LEADING AND INNOVATIVE BEHAVIOUR CHANGE AND EDUCATION

8.	Work with Councils to shape and enhance Education delivery	Utilising internal resources and access to specialist Contractors develop and deliver an Education program which supports Constituent Council objectives and improves resident behaviour with regard to waste diversion. Explore delivery methodologies and engagement approaches to capitalise on technology innovations and develop metrics to demonstrate penetration success.	Provide leading and innovative behaviour change and education	3.2	• Vision Target	Recurrent
9.	Continue to develop and share Carbon Reporting	Utilise carbon reporting to support Constituent Council environmental targets and factor into asset and/or operational change considerations.	Provide leading and innovative behaviour change and education	3.1	• Vision Target	\$0.010M

HELP DRIVE A LOCAL CIRCULAR ECONOMY

10.	Develop and procure high value processing contracts	East Waste on behalf of engaged Constituent Councils will procure new long-term co-mingled recycling contracts with a focus on ensuring the collected material is processed in a manner which retains and utilises the material at its highest order and so far as possible, locally.	Help drive a local circular economy	4.4	Vision Target	Recurrent
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PROVIDE LEADERSHIP

11.	Cost Model Review	Work with Constituent Councils and the East Waste Board to complete review of the existing Cost Model with beneficial changes to be put to the Board for approval and implementation timing consideration.	Provide leadership	5.4	Vision Target	Recurrent
12.	Fleet Replacement	In line with the Long-Term Financial Plan, undertake the replacement of six (6) collection vehicles.	Provide leadership	5.4	Vision Target	Capital \$3.508M

Budget Management

East Waste operates its waste collection services under a Common Fleet costing methodology, ensuring that each Constituent Council is charged directly based on the proportionate time required to complete their respective collection services. This approach built on detailed reporting is used to allocate costs transparently and equitably. Minor variations in cost apportionment occur annually to reflect efficiencies, service demand changes, and operational cost fluctuations (e.g. housing infill, developments, fire ban days, and special events).

Key Budget Considerations for 2026/2027

- **Labour, fuel, and fleet maintenance** continue to be the largest operational costs, comprising approximately 80% of Common Fleet costs.
- **Labour market challenges** remain a key pressure, requiring ongoing efforts to attract and retain skilled drivers and operational staff.
- **Fuel cost volatility** continues to pose a risk.
- **Fleet replacement** is funded through external loan borrowings, ensuring East Waste maintains a modern, efficient, and environmentally responsible fleet.
- **Contracted resource processing services and bin maintenance** continue to be provided to Constituent Councils at cost price, delivering significant savings compared to traditional waste service contracts.

The budget to deliver this Annual Plan, along with all East Waste's Services and legislative requirements is detailed in the following proposed 2026/27 Financial Statements.

Financial Statements

EAST WASTE

Projected Statement of Comprehensive Income (Budgeted)
for the financial year ending 30 June 2027

	FY26 Adopted Budget \$'000	FY26 BR2 \$'000	FY27 Proposed Budget \$'000
Income			
User Charges	28,531	28,661	29,652
Investment income	60	140	105
Grants, subsidies and contributions	-	-	-
Other	2,119	2,220	2,368
Total	30,710	31,021	32,125
Expenses			
Employee Costs	9,170	9,261	9,782
Materials, contracts & other expenses	17,833	18,176	18,348
Depreciation, amortisation & impairment	2,835	2,835	3,029
Finance costs	720	720	806
Total	30,558	30,992	31,965
Operating Surplus / (Deficit)	152	29	160
Asset disposals & fair value adjustments	30	30	30
Net Surplus / (Deficit)	182	59	190
Other Comprehensive Income	-	-	-
Total Comprehensive Income	182	59	190

EAST WASTE

Projected Balance Sheet (Budgeted)
for the financial year ending 30 June 2027

	FY26	FY26	FY27
	Adopted Budget	BR2	Proposed Budget
	\$'000	\$'000	\$'000
Assets			
Current			
Cash & Cash Equivalents	2,700	2,306	2,943
Trade & Other Receivables	1,413	1,824	1,824
Inventory	63	38	38
Total	4,176	4,168	4,805
Non-Current			
Property, Plant & Equipment	13,973	13,911	14,514
Total	13,973	13,911	14,514
Total Assets	18,149	18,079	19,319
Liabilities			
Current			
Trade & Other Payables	1,588	1,578	1,607
Borrowings	2,285	2,285	2,285
Provisions	1,110	1,075	1,140
Total	4,983	4,938	5,032
Non-Current			
Borrowings	11,789	11,789	12,681
Provisions	169	125	190
Total	11,958	11,914	12,871
Total Liabilities	16,941	16,852	17,902
Net Assets	1,208	1,227	1,417
Equity			
Accumulated Surplus	1,208	1,227	1,417
Total Equity	1,208	1,227	1,417

EAST WASTE

Projected Statement of Cash Flows (Budgeted)
for the financial year ending 30 June 2027

	FY26	FY26	FY27
	Adopted Budget	BR2	Proposed Budget
	\$'000	\$'000	\$'000
Cash Flows from Operating Activities			
Receipts			
Operating Receipts	30,650	30,881	32,020
Investment Receipts	60	140	105
Payments			
Employee costs	(9,050)	(9,141)	(9,653)
Materials, contracts & other expenses	(17,833)	(18,176)	(18,348)
Interest Payments	(697)	(697)	(777)
Net Cash Flows from Operating Activities	3,130	3,007	3,347
Cash Flows from Investing Activities			
Receipts			
Sale of Replaced Assets	30	30	30
Payments			
Expenditure on Renewal/Replaced Assets	(3,390)	(3,390)	(3,532)
Expenditure of New/Upgraded Assets	(135)	(135)	(100)
Net Cash Flows from Investing Activities	(3,495)	(3,495)	(3,602)
Cash Flow from Financing Activities			
Receipts			
Proceeds from Borrowings	3,390	3,390	3,507
Payments			
Repayment of Lease Liabilities	(168)	(168)	(185)
Repayment of Borrowings	(2,150)	(2,150)	(2,430)
Net Cash Flow from Financing Activities	1,072	1,072	892
Net Increase (Decrease) in cash held	707	584	637
Cash & cash equivalents at beginning of period	1,993	1,722	2,306
Cash & cash equivalents at end of period	2,700	2,306	2,943

EAST WASTE

Projected Statement of Changes in Equity (Budgeted)
for the financial year ending 30 June 2027

	FY26 Adopted Budget \$'000	FY26 BR2 \$'000	FY27 Proposed Budget \$'000
Balance at Start of Period - 1 July	1,026	1,168	1,227
Net Surplus / (Deficit) for Year	182	59	190
Contributed Equity	-	-	-
Distribution to Councils	-	-	-
Balance at End of Period - 30 June	1,208	1,227	1,417

DRAFT

EAST WASTE

Projected Uniform Presentation of Finances (Budgeted)
for the financial year ending 30 June 2027

	FY26 Adopted Budget \$'000	FY26 BR2 \$'000	FY27 Proposed Budget \$'000
Income			
<i>User Charges</i>	28,531	28,661	29,652
<i>Investment income</i>	60	140	105
<i>Grants, subsidies and contributions</i>	-	-	-
<i>Other</i>	2,119	2,220	2,368
	30,710	31,021	32,125
Expenses			
<i>Employee Costs</i>	9,170	9,261	9,782
<i>Materials, contracts & other expenses</i>	17,833	18,176	18,348
<i>Depreciation, amortisation & impairment</i>	2,835	2,835	3,029
<i>Finance costs</i>	720	720	806
	30,558	30,992	31,965
Operating Surplus / (Deficit)	152	29	160
Net Outlays on Existing Assets			
<i>Capital Expenditure on Renewal and Replacement of Existing Assets</i>	(3,390)	(3,390)	(3,532)
<i>Depreciation, Amortisation and Impairment</i>	2,835	2,835	3,029
<i>Proceeds from Sale of Replaced Assets</i>	30	30	30
	(525)	(525)	(473)
Net Outlays on New and Upgraded Assets			
<i>Capital Expenditure on New and Upgraded Assets</i>	(135)	(135)	(100)
<i>Amounts Specifically for New and Upgraded Assets</i>	-	-	-
<i>Proceeds from Sale of Surplus Assets</i>	-	-	-
	(135)	(135)	(100)
Annual Net Impact to Financing Activities (Surplus/(Deficit))	(508)	(631)	(413)



63 Mount Barker Road
Stirling SA 5152
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

3 June 2026

Mr Leonard Leyland
General Manager
Eastern Waste Management Authority
1 Temple Court
Ottoway SA 5013

Via email: east@eastwaste.com

Dear Leonard

Thank you for your correspondence dated 26 March 2026 regarding the Draft 2026–27 Annual Business Plan and Budget (ABP&B).

I write to advise that Adelaide Hills Council, at its Ordinary Council Meeting held on 25 May 2026, considered the Draft ABP&B in accordance with the requirements of the Charter.

Following consideration, Council resolved to:

**Moved Cr Mark Osterstock
S/- Cr Alex Trescowthick**

194/26

Council resolves:

- 1. That the report on the Draft 2026-27 Eastern Waste Management Authority (East Waste) Annual Business Plan and Budget be received and noted.**
- 2. To endorse the Draft 2026-27 Eastern Waste Management Authority (East Waste) Annual Business Plan and Budget which presents an Operating Surplus of \$160k.**
- 3. That the Council administration works with other East Waste member Council administrations to ascertain support for a revised set of SMART KPI indicators for 2027-28 that align with the strategic plan and budget.**

Carried Unanimously

Council appreciates the work undertaken by East Waste in preparing the Draft ABP&B and values the ongoing collaboration between the Authority and its constituent councils.



63 Mount Barker Road
Stirling SA 5152
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

Should you require any further information, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Georgopoulos', is written over a light grey rectangular background.

Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council

Below is the Council Resolution, the full report can be found [here](#).

Motion

Moved Councillor Cornish, Seconded Councillor Xing

That Council endorses:

1. The Brownhill Keswick Creek draft Budget 2026/27, which presents an Operating Deficit of \$591k.
2. The Eastern Waste Management Authority draft Budget 2026/27, which presents an Operating Surplus of \$160k.
3. The Eastern Health Authority draft Budget 2026/27, which presents Breakeven Budget.
4. The ERA Water draft Budget 2026/27, which presents an Operating Deficit of \$561k.
5. The Highbury Landfill Authority draft Budget 2026/27, which presents an Operating Deficit of \$67k.

CARRIED
C52026/14146

Cheers,
Jason



Jason van Riel | Executive Assistant to the CEO, Mayor and Councillors
City of Burnside | 401 Greenhill Road Tasmore SA 5065

P: +61883664120

jvanriel@burnside.sa.gov.au

www.burnside.sa.gov.au



22 April 2026

Mr Leonard Leyland
General Manager
EastWaste
1 Temple Court
Ottoway SA 5013

Email: Leonard@eastwaste.com

Dear  Mr Leyland

EastWaste – Draft 2026/2027 Annual Plan and Budget

I wish to advise that at its meeting held on Tuesday 21 April 2026 Council endorsed East Waste's draft 2026/2027 Annual Plan and Budget, noting a 4.99% increase in the fees to be charged to Council for the upcoming financial year, which is above CPI.

Council also recognise equity share in East Waste's budgeted gain of \$20,000 in the draft 2026/2027 Annual Business Plan and Budget prior to its endorsement for the purposes of Community consultation.

If you have any queries please contact Council's Manager Finance, Mr Simon Zbierski on 8366 9289.

Yours sincerely



Paul Di Iulio
Chief Executive Officer

14 May 2026

Leonard Leyland
General Manager
East Waste
PO Box 26
MANSFIELD PARK SA 5012
Email: Leonard@eastwaste.com



Dear Mr Leyland

Re: East Waste Draft 2026/2027 Annual Plan and Budget

I write to advise that Council has endorsed the following recommendations in relation to the East Waste Draft 2026/2027 Annual Plan and Budget at its Full Council meeting on 12 May 2026:

1. *That Council notes the East Waste Draft 2026/2027 Budget (**Attachment A**).*
2. *That Council consents to the East Waste Draft 2026/2027 Annual Plan (**Attachment B**).*
3. *That Council continues to strengthen the reporting relationship with East Waste to ensure cost effective and efficient service delivery and a high-level of transparency.*

The report and attachments were discussed in confidence in accordance with the Local Government Act 1999.

I also want to say thank you for attending the Full Council meeting and providing an update at to the Council Members and the Chamber.

I can be contacted on 0419 649 926 if you have any questions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gemma Chambers'.

Gemma Chambers
WASTE MANAGEMENT OFFICER

Street Address:
131 Belair Road
Torrens Park SA 5062

Postal Address:
PO Box 21
Mitcham Shopping Centre
Torrens Park SA 5062

Phone: 1300 133 466
mitcham@mitchamcouncil.sa.gov.au
www.mitchamcouncil.sa.gov.au

File Number: qA144677
Enquiries To: Lisa Mara
Direct Telephone: 8366 4549



**City of
Norwood
Payneham
& St Peters**

11 May 2026

Mr Leonard Leyland
General Manager
Eastern Waste Management Authority

Via email: Leonard@eastwaste.com

Dear Leonard

EAST WASTE DRAFT 2026-2027 ANNUAL BUSINESS PLAN & BUDGET

I am pleased to advise that at its meeting held on 5 May 2026, the Council considered the East Waste Draft 2026-2027 Annual Business Plan and Budget.

Pursuant to Clause 52 of the Charter, the Council approves the Authority's Draft 2026-2027 Annual Business Plan and Budget.

If you require any further information please contact me on 8366 4549 or via email: lmara@npsp.sa.gov.au

Yours sincerely

Lisa Mara
GENERAL MANAGER, GOVERNANCE & CIVIC AFFAIRS

175 The Parade
Norwood SA 5067

PO Box 204
Kent Town SA 5071

Telephone
8366 4555

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townhall@npsp.sa.gov.au

Website
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Sustainability

Dear Leonard,

I'm happy to advise that at their meeting last night Council endorsed East Waste's 2026/27 ABP and Budget - as per the resolution below.

Kind regards,
Megan

10.10 EAST WASTE DRAFT 2026/27 ANNUAL BUSINESS PLAN AND BUDGET

RESOLUTION 2026/64
Moved: Cr Mark Standen
Seconded: Cr Kristina Barnett
That Council:

- 1. Having considered Item 10.10 East Waste Draft 2026/27 Annual Business Plan and Budget receives and notes the report.**
- 2. Having considered Item 10.10 East Waste Draft 2026/27 Annual Business Plan and Budget, endorses the East Waste Draft 2026/27 Annual Plan and Budget (as presented in Attachment 1).**

CARRIED UNANIMOUSLY

Megan Gillett

Executive Assistant

Director City Works & Presentation

Director City Growth & Development

T. 8269 5355

Payinthe - 128 Prospect Road, Prospect, SA 5082 | PO Box 171, Prospect SA 5082

Megan.Gillett@prospect.sa.gov.au

City of Prospect acknowledges that we are on the traditional lands of the Kurna people and we respect their spiritual relationship with their Country. We also acknowledge the Kurna people as the custodians of the greater Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.



1 June 2026

Attn: Leonard Leyland
General Manager
East Waste

Via email: leonard@eastwaste.com

Dear Leonard,

**RE: CITY OF UNLEY COUNCIL RESOLUTION - EASTERN WASTE MANAGEMENT AUTHORITY
DRAFT 2026-27 ANNUAL BUSINESS PLAN**

Please be advised that at Ordinary Council Meeting held Monday 25 May 2026, Council resolved the following resolution:

That:

1. *The report be received.*
2. *The Eastern Waste Management Authority (East Waste) be advised that pursuant to Clause 52 of its Charter, the City of Unley has considered and approves its Draft 2026-27 Annual Business Plan, as set out in Attachment 1 to this report (Item 4.3, Council Meeting 25 May 2026).*

CARRIED UNANIMOUSLY

Resolution No. C0001/26

Should you have any further questions, please do not hesitate to contact the City of Unley at pobox1@unley.sa.gov.au.

Yours sincerely,



Peter Tsokas PSM
Chief Executive Officer

Dear Leonard

Council considered Item 5.1 East Waste Draft Annual Business Plan and Budget 2026/27 as part of the 25 May 2026 Special Council Meeting and resolved:

CNC158/05/26

Moved: Cr Kaur

Seconded: Cr Trotter

That Council approve the East Waste Draft Annual Plan and Budget 2026/27.

CARRIED

Kind Regards,

Adele Field
Governance Officer



Connect with us



We acknowledge the Kaurna people as the traditional custodians of this land and respect their spiritual relationship with their country.



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The views expressed in this document are those of the author and not necessarily those of the Council unless specifically stated.

9.6 Annual Review of Items Held in Confidence

Report Author	Executive Administration Assistant
Attachments	A: Confidential Orders Recommended to be Remade B: Confidential Orders Recommended for Release

Purpose and Context

To provide the East Waste Board with an opportunity to review the items currently listed on the East Waste 'Register of Remaining Confidential Orders' and to remake the Orders on items deemed to be retained in confidence for a further period of time.

It is important to note this report does not provide details of the topics or items held in confidence. Should any discussion on the topics be required, the East Waste Board will need to resolve to go into confidence for each item discussed.

Recommendation

That the East Board Waste Board:

1. ***Notes that an annual review of all items held in confidence under section 91(9) of the Local Government Act 1999 has been undertaken.***
2. ***Following the annual review of the items held in confidence remakes the orders on the following items as listed in Attachment A, to Item 9.5, Ordinary Board Meeting 25 June 2026, and detailed below:***
 - a) ***Item 28 – Attachment – Contract Evaluation Report***
 - i. ***Pursuant to section 91(7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Attachment to Item 9.1 of the East Waste Audit and Risk Management Committee Meeting held on 5 August 2022 concerning the Contract Evaluation Report remain confidential on the basis that disclosure of the information contained within the associated Attachment would disclose information of a commercially sensitive nature pursuant to section 90(3)(d) of the Local Government Act 1999 and will not be available for public inspection until further order.***
 - ii. ***This confidentiality order will be reviewed by the East Waste Board at least once in every 12 month period.***
 - iii. ***The General Manager is delegated authority to revoke the order in whole or part.***
 - b) ***Item 29 – Attachment - Tender Assessment***
 - i. ***Pursuant to section 91(7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order the subject of the Attachment to Item Number 9.1 of the Ordinary East Waste Board Meeting held on 11 August 2022 concerning the Tender Assessment remain confidential on the basis that disclosure of the information contained***

- ii. *within the associated Attachment would disclose information relating to a tender for the supply of goods or for the provisions of services pursuant to section 90(3)(k) of the Local Government Act 1999 and will not be available for public inspection until further order.*
 - ii. *This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*
 - a) *The General Manager is delegated authority to revoke the order in whole or part.*
 - c) **Item 30 – Attachment - Recycling Contract**
 - i. *Pursuant to section 91(7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order the subject of the Attachment to Item Number 9.2 of the Ordinary East Waste Board Meeting held on 11 August 2022 concerning the Recycling Contract remain confidential on the basis that disclosure of the information contained within the associated Attachment would disclose information relating to a tender for the supply of goods or for the provisions or services pursuant to section 90(3)(k) of the Local Government Act 1999 and will not be available for public inspection until further order.*
 - ii. *This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*
 - iii. *The General Manager is delegated authority to revoke the order in whole or part.*
 - d) **Item 56 – Report, Minutes and Attachments A, B and C – Recruitment of General Manager**
 - i. *Pursuant to section 91 (7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Report, Minutes and Attachment A, Attachment B and Attachment C to Item Number 6.1 of the Special East Waste Board Meeting of 7 October 2025 concerning the recruitment of the General Manager of East Waste remain confidential on the basis that the documents contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of Mr Leonard Leyland, pursuant to section 90(3)(a) of the Local Government Act 1999 and will not be available for inspection until further order.*
 - ii. *This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*
 - iii. *The General Manager is delegated authority to revoke the order in whole or part.*
 - e) **Item 60 – Organics Processing Contract – Report and Minutes**
 - i. *Pursuant to section 91(7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order the subject of the Report and Minutes to Item Number 10.3 of the Ordinary East Board Meeting of 25 September 2025 concerning the Organics Processing Contract remain confidential pursuant to section 90(3)(b) of the Local Government Act 1999 on the basis that disclosure of the information contained within the associated Report and Minutes could reasonably be expected to confer a commercial advantage on a person*

- with whom the East Waste Board is conducting or proposing to conduct business, or to prejudice the commercial position of East waste as East Waste is currently tendering for these services. It would not be in the public interest to release the documents at this time.*
- ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*
 - iii. The General Manager is delegated authority to revoke the order in whole or part.*
- f) Item 63 – Report, Minutes and Attachments – Recruitment of General Manager**
- i. Pursuant to section 91 (7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Report, Minutes and Attachments to Item Number 6.1 of the Special East Waste Board Meeting of 10 November 2025 concerning the interim probation review of the General Manager of East Waste remain confidential on the basis that the documents contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of Mr Leonard Leyland, pursuant to section 90(3)(a) of the Local Government Act 1999 and will not be available for inspection until further order.*
 - ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*
 - iii. The General Manager is delegated authority to revoke the order in whole or part.*
- g) Item 64 – Report, Attachment A and Attachment B – Organics Processing Tender – Adjourned from 10 November 2025.**
- i. Pursuant to section 91 (7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Report, Attachment A and Attachment B to Item Number 6.1 of the Special East Waste Board Meeting of 14 November 2025 concerning the Organics Processing Tender remain confidential on the basis that that the documents contain information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information or to confer an advantage on a third party pursuant to section 90(3)(d) of the Local Government Act 1999. It is not in the public’s interest to release the documents at this time.*
- h) Item 65 – Report and Attachments – General Manager Final Probation Review**
- i. Pursuant to section 91 (7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Report and Attachments to Item Number 10.1 of the Ordinary East Waste Board Meeting of 26 June 2025 concerning the final probation review of the General Manager of East Waste remain confidential on the basis that the documents contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of Mr Leonard Leyland, pursuant to section 90(3)(a) of the Local Government Act 1999 and will not be available for inspection until further order.*
 - ii. This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.*

- iii. ***The General Manager is delegated authority to revoke the order in whole or part.***
 - i) ***Item 67 – Report and Minutes – Methodology for General Manager Performance Review***
 - i. ***Pursuant to section 91 (7) and (9) of the Local Government Act 1999, the East Waste Board orders that the confidentiality order over the subject of the Report and Minutes to Item Number 7.1 of the General Manager Performance Review Committee Meeting of 23 January 2026 concerning the assessment of the performance of the General Manager of East Waste remain confidential on the basis that the documents contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of Mr Leonard Leyland, pursuant to section 90(3)(a) of the Local Government Act 1999 and will not be available for inspection until further order.***
 - ii. ***This confidentiality order will be reviewed by the East Waste Board at least once in every 12-month period.***
 - iii. ***The General Manager is delegated authority to revoke the order in whole or part.***
- 3. ***Approves that the Items presented in Attachment B (Item 9.5, Ordinary East Waste Board Meeting, 25 June 2026) are released from confidence when their orders lapse at their expiry date and be made available to the public.***

Strategic Link

Objective: 5. Provide Leadership

Strategy: 5.4 Quality & Transparent Corporate (Governance & Finance) activities.

Background

Schedule 2, Part 2, Clause (7) of the *Local Government Act 1999* (the Act) states that unless otherwise determined in a Charter of a subsidiary the requirements relating to public access to council and committee meetings as detailed in Chapter 6, Part 3 of the Act apply as if the subsidiary were a council.

Section 90 of the *Local Government Act 1999* details the provisions for when a Board or Committee may order that the public be excluded from attendance at a meeting for the purpose of receiving, discussing or considering confidential information. The Board or Committee may order that some or all the documents and minutes associated with the item be kept confidential.

Administration maintains a Register of Confidential Items on the East Waste website.

The East Waste Board last undertook a review of the 'Register of Remaining Confidential Orders' on 26 June 2025.

Discussion

East Waste seeks to conduct its business in openness and transparency in accordance with Section 90(1) of the *Local Government Act 1999* and utilises the confidentiality provisions of Sections 90(2) and 90(3) of the Act with discretion.

East Waste Administration maintains the 'Register of Remaining Confidential Orders' which outlines the information which the East Waste Board and its Committees have retained in confidence. The

Committees most usually delegate the power to revoke and review confidential orders they have made to the East Waste Board.

Whilst the disclosure of confidential matters would enhance the accountability and transparency of East Waste in the performance of its powers, duties and responsibilities, the public interest has been outweighed with regard to the release of certain information at this time and the continuation of confidential orders has been recommended accordingly. The grounds for the confidentiality orders are in accordance with Section 90(3) of the *Local Government Act 1999*.

This report recommends that the East Waste Board:

- a. remakes the orders on nine (9) confidential items as listed on **Attachment A** for a period until a further order is made to release the document from confidence. This is the best practice method to ensure that confidential orders are appropriately retained in confidence and are not inappropriately released from confidence when a date is reached, and if the order is not remade, released automatically to the public.
- b. notes that it is recommended that the East Waste Board, pursuant to Section 91(9)(c) of the *Local Government Act 1999*, delegates to the General Manager of East Waste, the power to revoke, in whole or in part, the Confidential Orders listed on **Attachment B** prior to the time that their individual orders expire.

If the East Waste Board wishes to discuss any of the items contained within **Attachment A or B**, the Board will need make the appropriate confidentiality orders to discuss each matter individually and determine if they wish to retain any matter in confidence, as at the current time, all matters regarding these items are retained in confidence and to discuss their particulars in an open Board Meeting will be in breach of section 62(4a) of the *Local Government Act 1999*.

The annual review ensures that only the information which is required to be retained in confidence by the East Waste Board is kept confidential. This reduction of items being retained in confidence ensures that the decision making processes of the Board are as open and transparent as possible.

REGISTER OF REMAINING CONFIDENTIAL ORDERS JUNE 2026
EASTERN WASTE MANAGEMENT AUTHORITY

No.	MEETING TYPE	REPORT DATE	ITEM NO.	REPORT TITLE	SECTION NO.	INITIAL CONFIDENTIALITY ORDER MADE UNDER s91(7)	ITEMS RETAINED IN CONFIDENCE	2025 REVIEW	2026 REVIEW
28	Audit & Risk Management Committee	5/08/2022	9.1	CONTRACT EVALUATION REPORT	90(3)(k)	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	Attachment	The East Waste Board resolved to keep the attachment in confidence for a further 12 months.	Recommendation: Retain the attachment in confidence for a further period of 12 months, prior to reviewing. Reasoning: Information contained within the discussion remains commercially sensitive and could materially impact on the recycling processing tender process to be undertaken within the next 12 months.
29	Board	11/08/2022	9.1	TENDER ASSESSMENT	90(3)(k)	The report, minutes, 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	Attachment	The East Waste Board resolved to keep the attachment in confidence for a further 12 months.	Recommendation: Retain the attachment in confidence for a further period of 12 months, prior to reviewing. Reasoning: Information contained within the discussion remains commercially sensitive and could materially impact on the recycling processing tender process to be undertaken within the next 12 months.
30	Board	11/08/2022	9.2	RECYCLING CONTRACT	90(3)(k)	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	Attachment	The East Waste Board resolved to keep the attachment in confidence for a further 12 months.	Recommendation: Retain the attachment in confidence for a further period of 12 months, prior to reviewing. Reasoning: Information contained within the discussion remains commercially sensitive and could materially impact on the recycling processing tender process to be undertaken within the next 12 months.
56	Special Board	7/10/2025	6.1	Recruitment of General Manager	90(3)(a)	That in accordance with section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, minutes and Attachment A, Attachment B, Attachment C (Attachments to Item 6.1, Special East Waste Board Meeting 9 July 2025), be kept confidential until further order. 2.Pursuant to Section 91(9)(c) of the Local Government Act 1999, the power to revoke the order under Section 91(7) prior to any review or prior to a review is delegated to the General Manager, or any person acting in that position.	Report, Minutes and all Attachments	Not applicable	Recommendation: Retain the report, minutes and attachments in confidence for a further 12 months. Reasoning: The information relates to the employment of the General Manager Mr Leonard Leyland and therefore contains information related to Mr Leyland's personal affairs.
60	Board	25/09/2025	10.3	Organics Processing Contract	90(3)(b)	That the East Waste Board orders that the Report and Minutes to (Item 10.3, Organic Processing Contracts, East Waste Board Meeting, 25 September 2025) be kept confidential until further order. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the power to revoke the order under section 91(7) prior to any review or prior to a review is delegated to the General Manager, or any person acting in that position.	Report and Minutes	Not applicable	Recommendation: Retain the report and minutes in confidence for a further period of 12 months. Reasoning: Information contained within the discussion remains commercially sensitive and could materially impact on the organics processing contract which is in the process of being finalised.

No.	MEETING TYPE	REPORT DATE	ITEM NO.	REPORT TITLE	SECTION NO.	INITIAL CONFIDENTIALITY ORDER MADE UNDER s91(7)	ITEMS RETAINED IN CONFIDENCE	2025 REVIEW	2026 REVIEW
63	Special Board	10/11/2025	6.1	General Manager's Interim Performance Review	90(3)(a)	That East Waste Board orders that the Report and Minutes to Item 6.1, General Manager's Interim Probation Review, Special East Waste Board Meeting 10 November 2025), be kept confidential until further order of the East Waste Board.	Report, Minutes and all Attachments	Not applicable	Recommendation: Retain the report, minutes and attachments in confidence for a further 12 months. Reasoning: The information relates to the employment of the General Manager Mr Leonard Leyland and therefore contains information related to Mr Leyland's personal affairs.
64	Special Board	14/11/2025	6.1	Organics Processing Tender– Adjourned from 10 November 2025	90(3)(d)	That pursuant to section 91(7) of the <i>Local Government Act 1999</i> the East Waste Board orders that the report 'Organics Processing Tender, Attachment A – Tender Evaluation Report and Attachment B - Probity and Tender Evaluation Plan be kept in confidence until further order.	Attachment A and Attachment B	Not applicable	Recommendation: Retain the report and minutes in confidence for a further period of 12 months. Reasoning: Information contained within the discussion remains commercially sensitive and could materially impact on the organics processing contract which is in the process of being finalised.
65	Board	26/06/2025	10.1	General Manager – Final Probation Review	90(3)(a)	That in accordance with section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the Report and Attachments to Item 10.1 General Manager Probation Review, East Waste Board Meeting, 26 February 2026, be kept confidential until further order.	Report, and all Attachments	Not applicable	Recommendation: Retain the report and attachments in confidence for a further 12 months. Reasoning: The information relates to the employment of the General Manager Mr Leonard Leyland and therefore contains information related to Mr Leyland's personal affairs.
67	GMPRC Committee	23/01/2026	7.1	Methodology for GM Performance Review	90(3)(a)	That in accordance with section 91(7) and (9) of the Local Government Act 1999 the General Manager Performance Review Committee orders that the Report and Minutes to Item 7.1 Methodology for General Manager Performance Review, General Manager Performance Review Meeting, 23 January 2026, be kept confidential until further order of the East Waste Board.	Report and Minutes	Not applicable	Recommendation: Retain the report and attachments in confidence for a further 12 months. Reasoning: The information relates to the employment of the General Manager Mr Leonard Leyland and therefore contains information related to Mr Leyland's personal affairs.

REGISTER OF REMAINING CONFIDENTIAL ORDERS FOR RELEASE JUNE 2026
EASTERN WASTE MANAGEMENT AUTHORITY

No.	MEETING TYPE	REPORT DATE	ITEM NO.	REPORT TITLE	SECTION NO.	ITEMS RETAINED IN CONFIDENCE	2025 REVIEW	2026 REVIEW
58	Board	25/09/2025	10.1	Ordinary and Primary Return Process	90(3)(h)	Report	Not applicable	<p>Recommendation: Release</p> <p>Reasoning: No legal sensity remains</p>
66	A&RMC	18/02/2026	9.7	Information Report	90(3)(d)	Orders that pursuant to section 91(7) of the Local Government Act 1999 that Attachment D to Item 9.7, Audit and Risk Management Committee Meeting, 18 February 2026 remain in confidence until further order.	Not applicable	<p>Recommendation: Release</p> <p>Reasoning: Attachment D does not commercially sensitive information.</p>

9.7 Review of Delegated Powers

Report Author Executive Administration Officer

Attachments A: Appendix 1 - Proposed Instruments of Delegation

Purpose and Context

To present a revised delegated authority framework for the consideration of the Audit & Risk Management Committee, ensuring compliance with relevant legislation, the Eastern Waste Management Authority Charter (the East Waste Charter) and good governance principles.

Kelley Jones Lawyers recommended that the Audit & Risk Management Committee (the Committee) review the proposed powers of delegation prior to their presentation to the Board.

Resolution of the Audit & Risk Management Committee

Moved Ms L Green that the Audit & Risk Management Committee:

1. notes that Administration have conducted a comprehensive review of the Instruments of Delegation.
2. recommends that the East Waste Board delegates the powers and functions under the East Waste Charter dated 28 June 2022 and specified in the proposed Instruments of Delegation as amended, contained in Appendix 1, Item 9.11 Audit & Risk Management Committee Meeting 10 June 2026, to the person's occupying the position detailed in the proposed Instrument of Delegation subject to the conditions and/or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. notes that this instrument of Delegation works in conjunction with the East Waste Charter, the Internal Controls and Policies.

Seconded: Mr A Wiguna

Carried

Recommendation of the Administration

1. *In exercise of the power under Clause 36 of Schedule 2 of the Local Government Act 1999, the East Waste Board delegates the powers and functions under the Eastern Waste Management Authority Charter specified in the proposed Instrument of Delegation as contained in Appendix 1 of the report dated 25 June 2026 and entitled Instrument of Delegation under the Charter for the Eastern Waste Management Authority to the person (s) occupying the office or position detailed in the proposed Instrument of Delegation subject to the conditions and / or limitations specified herein.*
2. *That the East Waste Board notes that this Instrument of Delegation as contained in Appendix 1, works in conjunction with the Eastern Waste*

Management Authority Charter and the Internal Controls and East Waste Policies.

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

East Waste operates as a regional subsidiary established under Section 43 of the *Local Government Act 1999* (the Act). Under the [East Waste Charter](#), the Constituent Councils have delegated specified functions and powers to the East Waste Board.

Clause 36 of Schedule 2 of the *Local Government Act 1999* provides that a subsidiary may delegate a power or function vested or conferred under this Act or another Act to:

- a committee.
- to an employee of the subsidiary or of a Constituent Council.
- to a person occupying a particular office or position.

Clause 29.9 of the Charter prescribes that the East Waste Board may may delegate to the General Manager any of the powers that the Board can exercise where those powers are not restricted from delegation by the Act or this Charter, noting that:

- 29.9.1 the General Manager may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the General Manager. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the General Manager.
- 29.9.2 where a power or function is delegated to an employee, the employee is responsible to the General Manager for the efficient and effective exercise or performance of that power or function; and
- 29.9.3 a written record of delegations and sub-delegations must be kept by the General Manager at all times

Delegations may be subject to conditions and limitations prescribed by regulations or as the delegate sees fit. They are revocable at will do not prevent the East Waste Board from acting in a matter.

It is usual for the Board to make delegations to the General Manager who will then make sub-delegations to the appropriate officers of the Administration.

A review of current delegations has been undertaken to:

- Reflect organisational changes and updated roles.
- Ensure operational efficiency while maintaining appropriate internal controls.

Discussion

Clause 29.7 of the Charter stipulates that the East Waste Board delegates responsibility for day to day management of the Authority to the General Manager, who will ensure that sound business, risk

minimisation, financial and human resource management practices are applied in the efficient and effective management of the operations of the Authority.

A review of current delegations has been undertaken to:

- Reflect organisational changes and updated roles.
- Ensure operational efficiency while maintaining appropriate internal controls.

The review was guided by:

- *Local Government Act 1999 (SA)*
- The East Waste Charter (as amended 2022).

The updated delegations framework provides transparency and accountability by defining which matters require formal Board resolution (e.g. budget adoption, asset disposal, policy approval) and which can be executed under delegated authority. These powers that may not be delegated are included within the proposed Delegations Framework in **red text**.

It should be noted that delegations provided to the General Manager may be sub-delegated to other officers, as the General Manager sees fit, except where the delegation conditions or legislation prevents this from occurring.

The instrument of delegations document presented to the East Waste Board for consideration contains the head delegation authorising the expenditure of budgeted funds to the General Manager, who will then sub-delegate the power to expend funds to staff through sub-delegation instruments to staff.

Feedback from the Audit & Risk Management Committee

The Audit & Risk Management Committee, having considered the proposed delegated powers and functions as presented at their meeting of 10 June, recommended that the General Manager be provided the power under clause 75 of the Eastern Waste Management Authority Charter to instigate dispute resolution processes between the Authority and a Constituent Council/s concerning the affairs of the Authority. Minor formatting feedback was received which was adopted.

Conclusion

Approving the updated Delegated Authority Framework supports:

- Governance compliance with the *Local Government Act 1999*.
- Operational integrity through clarity of roles and accountability.

The updated Delegated Authority Framework will be placed on the East Waste website.

HEAD DELEGATION

INSTRUMENT OF DELEGATION UNDER THE CHARTER OF THE EASTERN WASTE MANAGEMENT AUTHORITY

NOTES

- 1. Conditions or Limitations may apply to the delegations contained in this Instrument.
- 2. Refer to the relevant East Waste Board resolution(s) to identify when these delegations were made, reviewed and or amended.
- 3. Position Description Abbreviations, includes persons acting in those positions listed.

GM	General Manager
MBS	Manager Business Services
MHR&FS	Manager HR & Financial Services
MOS	Manager Operational Services
FBR	Finance Business Partner
FO	Finance Officer

POWERS AND FUNCTIONS DELEGATED BY EASTERN WASTE MANAGEMENT AUTHORITY (EAST WASTE) IN THIS INSTRUMENT TO THE EMPLOYEES OF EAST WASTE

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
1. Functions		
1.1 The functions pursuant to Clause 9.2 of the Charter for East Waste dated 28 June 2022 (East Waste Charter) for or in connection with the purpose for which East Waste is established, to:		
1.1.1 to promote the minimisation of Waste in the areas of the Constituent Councils. 1.1.2 to promote the recycling of recyclable materials in the areas of the Constituent Councils. 1.1.3 to undertake Waste community education and behaviour change programs on behalf of the Constituent Councils. 1.1.4 on behalf of the Constituent Councils or on its own behalf, to liaise with other councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters relating to waste management in the common interest of the Constituent Councils.	GM	
1.1.5 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee concerned with waste management that	NOT DELEGATED	
	GM	

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
<p>allows two or more of the Constituent Councils to nominate a representative.</p> <p>1.1.6 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Authority.</p> <p>1.1.7 to keep Constituent Councils abreast of any emerging opportunities/trends/issues in waste management.</p> <p>1.1.8 to undertake activities which result in a beneficial use of Waste on behalf of the Constituent Councils.</p> <p>1.1.9 to conduct all activities in a manner which complies with all regulatory requirements and minimises risks to the Constituent Councils.</p> <p>1.1.10 on behalf of the Constituent Councils or on its own behalf, to liaise with relevant State Government agencies such as Green Industries SA, Environment Protection Authority (or equivalent successor organisations), taking into account its approved Business Plan.</p> <p>1.1.11 on behalf of the Constituent Councils, to perform and/or monitor the effectiveness and application of funding arrangements agreed by the Constituent Councils for waste management.</p> <p>1.1.12 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities to manage waste particularly in the area of the Constituent Councils and the implications of that management beyond the area of the Constituent Councils.</p>	<p>GM</p>	

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
2. Powers		
2.1 The powers pursuant to Clause 10 of the Charter for East Waste dated 28 June 2022 (East Waste Charter) for or in connection with the purpose for which East Waste is established, to:		
2.1.1 become a member of and/or co-operate with any organisation with complementary functions. 2.1.2 receive gifts of money or property from any person.	GM	
2.1.3 make payable by a new Constituent Council any joining fee.	NOT DELEGATED	
2.1.4 carry out its Annual Plan and Budget. 2.1.5 carry out its Business Plan and Non-core Plans. 2.1.6 make payable by Constituent Councils contributions to the Authority in proportion to their Core Shares.	GM	Expenditure to be within limit of financial delegations.
2.1.7 employ and dismiss a General Manager.	NOT DELEGATED	
2.1.8 contract with any person.	GM	Contract with any person in accordance with approved Annual Plan & Budget and within the limits of financial delegations.

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
2.1.9 acquire or dispose of any real or personal property in accordance with the Business Plan or otherwise with a Unanimous Decision of the Constituent Councils.		In accordance with the Sale and Disposal of Assets Policy.
2.1.10 operate an account or accounts with a bank or with the Local Government Finance Authority, or both.	GM** , MBS** , MR&FS** , MOS** , FBP* , FO*	In accordance with financial delegations and sub-delegations. Positions marked * are Category A signatories; positions marked ** are Category B signatories.
2.1.11 borrow or raise money within the Borrowings Limit.	GM	Expenditure to be within limit of financial delegations.
2.1.12 lend money in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Council.	NOT DELEGATED	
<p>2.1.13 insure against any risk.</p> <p>2.1.14 enter into a partnership or joint venture with any person in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Councils.</p> <p>2.1.15 pay any cost or expense of the establishment, operation, administration or winding up of the Authority.</p>	GM	Limited to operational and administrative costs in accordance with approved Annual

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
		Plan & Budget and within the limits of financial delegations.
2.1.16 compromise, compound, abandon or settle a debt or claim owed to the Authority.	GM	Within the limits of financial delegations.
2.1.17 waive a legal or equitable or statutory right.	NOT DELEGATED	
<p>2.1.18 refer a dispute between the Authority and any third party (other than a Constituent Council) to arbitration.</p> <p>2.1.19 allocate receipts and expenditure between Core Activity and Non-core Activities and between each Non-core Activity.</p> <p>2.1.20 where the same services/ activities are not being provided equally to all Constituent Councils, to charge the differential costs of those services / activities directly to the benefiting Councils.</p> <p>2.21.1 charge Constituent Councils the full costs incurred in the delivery of the services to them, such costs being calculated on a user pays basis (including depreciation and other overheads for use of shared assets, and all other common expenses).</p> <p>2.1.22 charge non-Constituent Councils a price, based on an estimate of costs incurred in providing the service plus a margin for profit and risk.</p> <p>2.1.23 make any election for the purpose of any tax.</p>	GM	

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
2.1.24 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person.	NOT DELEGATED	
<p>2.1.25 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Authority.</p> <p>2.1.26 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds.</p> <p>2.1.27 such other powers as the Act or this Charter may confer upon the Authority.</p> <p>2.1.28 all things incidental to the exercise of any other power of the Authority.</p>	GM	<p>In accordance with approved Annual Plan and Budget and the Constituent Council Rebate & Distribution Policy.</p>
3. CHAIR		
3.1 The function pursuant to Clause 27.2.3 of the East Waste Charter to represent the Authority in relations with the media and the public generally.	GM	Representation to be made with Chair's prior knowledge.
4. STAFF OF EAST WASTE		
4.1 The power pursuant to Clause 32.1 of the East Waste Charter to employ staff subject to the Board making appropriate financial provision.	GM	
5. MEETING PROCEDURES		
5.1 The power pursuant to Clause 35.12 of the East Waste Charter to set out the meeting procedures as adopted by the	GM	

DELEGATED POWER/ FUNCTION	DELEGATE	CONDITION / LIMITATION
Board in a meeting procedure code of practice which will be available to the public for inspection (without charge) and by way of a copy (on payment of a fee fixed by the Board).		
6. MINUTES OF MEETINGS		
6.1 The power pursuant to Clause 35.16 of the East Waste Charter and Schedule 2, Clause 21 (11) of the Act to keep minutes of Board proceedings. All minutes must be prepared and distributed to both Directors and also to Constituent Councils within seven business days of the meeting to which they relate.	GM	
7. BOARD POLICIES AND CODES		
7.1 The power pursuant to Clause 39 of the East Waste Charter to prepare and keep under review polices on: 7.1.1 procedures for meetings of the Board. 7.1.2 contracts and tenders, as would conform to Section 49 of the Act. 7.1.3 public consultation, as would conform to Section 50 of the Act. 7.1.4 governance. 7.1.5 occupational health and safety. 7.1.6 protection of the environment. 7.1.7 Code of Conduct for Board Directors.	GM	

DELEGATED POWER / FUNCTION	DELEGATE	CONDITIONS/ LIMITATIONS
8. BUSINESS PLAN		
<p>8.1 The power pursuant to Clause 43.1 of the East Waste Charter to prepare at least a ten-year Business Plan for the region, in a collaborative manner with Constituent Councils which cannot be in conflict with this Charter.</p> <p>8.2 The power pursuant to Clause 43.2 of the East Waste Charter to prepare a ten-year Long Term Financial Plan (which, must include principles detailing the actual distribution of overheads between the Constituent Councils and any other matter required by the Constituent Councils or determined by the Board to be included therein) and an Asset Management Plan.</p>	GM	
9. ANNUAL PLAN		
9.1 The power pursuant to Clause 52.3 of the East Waste Charter to prepare the draft Annual Plan and provide it to the Constituent Councils by a date determined by the Councils for the purpose of obtaining the consent of the Councils on or before 31 May in each financial year.	GM	
10. BUDGET		
10.1 The power pursuant to Clause 53 of the East Waste Charter to prepare a proposed budget for each financial year in accordance with Clause 25, Schedule 2 to the <i>Local Government Act 1999</i> .	GM	
11. EXPENDITURE OUTSIDE BUDGET		
11.1 The power pursuant to Clause 55 of the East Waste Charter and Schedule 2, Clause 25(4) the Authority may incur, for the purpose of genuine emergency or hardship, spending that is	GM	

DELEGATED POWER / FUNCTION	DELEGATE	CONDITIONS/ LIMITATIONS
not authorised by its Budget without consulting with and seeking approval from the Constituent Councils.		
12. DEBT FUNDING		
12.1 The power pursuant to Clause 53 of the East Waste Charter to may borrow or raise money from the Local Government Finance Authority or a bank of such amount(s) as provided for in a Business Plan and Budget approved by the Constituent Councils.	GM	
13. ACQUISITION OF ASSETS		
13.1 The power pursuant to Clause 63 of the East Waste Charter to acquire such assets (real or personal) as its Business Plan provides or otherwise pursuant to a Unanimous Decision of the Constituent Councils.	GM	In accordance with the Sale and Disposal of Assets Policy.
14. DISPOSAL OF ASSETS		
14.1 The power pursuant to Clause 64 of the East Waste Charter to dispose of (personal) assets as its Business Plan provides, or at the end of the asset's economic life.	GM*	
15. INVESTMENTS		
15.1 The power pursuant to Clause 65 of the East Waste Charter, in accordance with the Business Plan and Budget to invest in the following items: 15.1.1 in waste management infrastructure and ancillary land. 15.1.2 in plant and equipment to store, transfer and/or treat waste.	GM*	

DELEGATED POWER / FUNCTION	DELEGATE	CONDITIONS/ LIMITATIONS
<p>15.1.3 in plant and equipment to transport waste from properties to an appropriate place of storage and/or disposal.</p> <p>15.1.4 cash on interest-bearing deposit with any bank.</p>		
16. INSURANCE AND SUPERANNUATION		
<p>16.1 The power pursuant to Clause 67.1 of the East Waste Charter to register with the Local Government Association Mutual Liability Scheme and comply with the rules of that Scheme.</p>	GM	
<p>16.2 The power pursuant to Clause 67.2 of the East Waste Charter to pay employer superannuation contributions in respect of each Employee into a superannuation fund nominated by the employee.</p>	GM	
<p>16.3 The power pursuant to Clause 67.2 of the East Waste Charter to register with the Local Government Association Workers Compensation Scheme and comply with the rules of the Scheme.</p>	GM	
17. ACCOUNTING RECORDS		
<p>17.1 In accordance with Clause 68 of the East Waste Charter the Authority must comply with Section 124 of the Act as if the Authority were a council.</p>		
<p>17.2 The function pursuant to Section 124(1) of the Act to:</p>	GM	
<p>17.2.1 keep such accounting records as correctly and adequately record and explain the revenues, expenses, assets and liabilities of the Authority.</p>		

DELEGATED POWER / FUNCTION	DELEGATE	CONDITIONS/ LIMITATIONS
<p>17.2.2 keep the Authority's accounting records in such a manner as will enable:</p> <p>17.2.2.1 the preparation and provision of statements that fairly represent financial and other information.</p> <p>17.2.2.2 the financial statements of the Authority to be conveniently and properly audited.</p>		
<p>17.3 The power pursuant to Section 124(2) of the Act to determine the form or forms and the place or places (within the state) to keep the accounting records of the Authority.</p>	GM	
<p>18. ACCOUNTING FOR SERVICES</p>		
<p>18.1 The power pursuant to Clause 69 of the East Waste Charter to keep accounting records in relation to services in such manner as will enable the calculation of Constituent Councils' contributions to, expenditure on and revenue from that service separately.</p>	GM	
<p>19. ACCESS TO RECORDS</p>		
<p>19.1 The power pursuant to Clause 71 of the East Waste Charter to provide a Constituent Council and a Director each a right to inspect and take copies of the books and records of the Authority for any proper purpose.</p>	GM	
<p>20. PROVISION OF INFORMATION</p>		
<p>20.1 The power pursuant to Clause 72 of the East Waste Charter to furnish each Constituent Council with information or records of the Authority.</p>	GM	

DELEGATED POWER / FUNCTION	DELEGATE	CONDITIONS / LIMITATIONS
21. ANNUAL REPORT		
21.1 The power pursuant to Clause 74 of the East Waste Charter to submit to the Constituent Councils on or before 30 September of each year in respect of the immediately preceding financial year, an annual report on the work and operations of East Waste detailing achievement of the aims and objectives of its Annual plan and incorporating any other information or report as required by the Constituent Councils.	GM	
22. DISPUTE RESOLUTION		
22.1 The procedure in Clause 75 must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statutes.	GM	
23. ATTENDANCE OF GUESTS AT BOARD MEETINGS		
23.1 The authority to invite a person to attend a Board meeting as an observer or adviser.	GM	

POWERS AND FUNCTIONS WHICH MAY NOT BE DELEGATED

21.1 As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Authority. The Authority may not delegate the following powers or functions:

21.1.1 the power to impose charges.

21.1.2 the power to enter into transactions in excess of \$50 000 unless authorised in an Annual Plan.

21.1.3 the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Plan.

21.1.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a Budget approved by the Authority or where required by this Charter approved by the Constituent Councils.

21.1.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management.

21.1.6 the power to adopt a Budget.

21.1.7 the power to adopt an Annual Plan.

21.1.8 the power to adopt a Business Plan (or any component thereof).

21.1.9 the power to adopt or revise financial estimates and reports.

21.1.10 the power to make any application or recommendation to the Minister.

Financial Delegation to the General Manager

A financial delegation for procurement purposes prescribes the dollar amount up to which a staff member is authorised to commit and/or expend in accordance with the approved Annual Plan and Budget.

In accordance with Clause 11.2 of the East Waste Charter, transactions not authorised in the Annual Plan and Budget will not exceed \$50,000.

Any transaction not authorised in the Annual Plan and Budget is required to be tabled before the East Waste Board for consideration.

POWER	DELEGATE
<p>Subject to Clause 11.2 of the Eastern Waste Management Authority Charter, the power to expend the Authority's approved budgeted funds, in the exercise, performance or discharge of the Boards powers, functions or duties under the Local Government Act 1999 or other Acts to the amounts listed as follows:</p> <p>Authorisation Limits:</p> <p>Financial Delegation: \$250,000.</p> <p>EFT Transaction Authorisation Limit: \$3,000,000.</p> <p>Credit Card Authorisation Limit: \$5,000.</p>	<p>General Manager</p>

9.8 Review of the East Waste Charter

Report Author: Executive Administration Officer

Responsible Officer: General Manager

Attachments

- A: Revised East Waste Charter as at 30 April 2026.
- B: East Waste Charter with CEO Amendments as at 26 May 2026.
- C: Clean Version of Revised East Waste Charter

Purpose and Context

This report presents the East Waste Board with an update on the review of the East Waste Charter (Charter), confirming that the Constituent Council Chief Executive Officers have reviewed and provided feedback on the proposed amendments.

It is recommended that the Board consider suspending Meeting Procedures in order to have a full and frank discussion on amendments to the Charter.

Recommendation/s of the Administration

That the East Waste Board

1. **Notes that all Constituent Councils Chief Executive Officers were provided the opportunity to review the draft amended East Waste Charter and respond to the proposed amendments.**
2. **Endorses the revised East Waste Charter as provided in Attachment A(clean) (Item 9.x, A, East Waste Board Meeting 25 June 2026) incorporating CEO feedback as outlined in this report.**
3. **Authorises the General Manager to submit the revised East Waste Charter to Norman Waterhouse Lawyers for formal consideration and opinion in accordance with the Local Government Act 1999 and the existing East Waste Charter.**
4. **Requests that the General Manager on receipt of the reviewed East Waste Charter circulate the document to East Waste Board Directors for endorsement via circular resolution.**
5. **That Administration be authorised to make changes of a minor technical or formatting nature to the revised East Waste Charter.**

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

At its meeting on 30 April 2026, the East Waste Board (Board) considered a report on the review of the East Waste Charter and endorsed a series of proposed amendments for consultation with the Chief Executive Officers of the Constituent Councils.

In accordance with that resolution, the draft amended Charter as endorsed by the Board, (**refer to Attachment A**) was distributed to the Chief Executive Officers (CEOs) for review and comment.

Mr Paul Di Iulio, Chief Executive Officer of Campbelltown City Council, requested a meeting of the Chief Executive Officers explaining that the opportunity to discuss proposed amendments as a group had proved invaluable during the 2022 Charter review

Accordingly, an MS Teams meeting was held on 26 May 2026 with the following Constituent Council CEO's in attendance:

- Campbelltown City Council
- City of Burnside
- City of Mitcham
- City of Prospect
- City of Unley
- Corporation of the Town of Walkerville.

The General Manager and Executive Administration Assistant facilitated the discussion.

Adelaide Hills Council and the City of Norwood, Payneham & St Peters were provided the opportunity to provide written feedback. Correspondence was received from Adelaide Hills Council on 1 June 2026 supporting the amendments as included at **Attachment A**.

Discussion

From the outset of the meeting it was clear that the CEOs had turned their minds to which of the proposed amendments would be palatable to their council. In broad terms, the Chief Executive Officers were supportive of the intent and direction of the proposed amendments. A small number of editorial and clarifying changes were requested e.g. referring to the *Superannuation Guarantee (Administration) Act 1992* rather than a particular fund.

A limited number of substantive issues were raised primarily relating to:

- Clause 9.2 of the Charter is required to be redrafted to reflect the Service Level Agreements.
- The proposed role of the Board Chair in the Director selection process.
- The need for rigour around the proposed Board Performance Review process.
- A request that the amended Charter undergo legal review before it is presented to the Constituent Councils for consideration.

Administration has considered all feedback received and where appropriate, incorporated amendments into the draft Charter at **Attachment B** to this report.

A summary of the amendments requested and considered by the Board and the Chief Executive Officers is outlined below.

It is at the discretion of the Board as to which amendments proceed.

EAST WASTE 2026 CHARTER REVIEW – PROPOSED AMENDMENT TRACKING TABLE

Clause	Revised clause	Board Appetite	CEO Appetite	Comments	
3.6	Notwithstanding Clause 3.5, the first review of this Charter is to be completed two years from the date of Gazettal of the Charter.	Notwithstanding Clause 3.5, the first review of this Charter is to be completed two years from the date of Gazettal of the Charter.	Support	Support	
9.2	Details functions may be undertaken by the Authority but only where required or directed by one or more Constituent Councils and charged directly to the Council or Councils so requiring or directing:		Not raised	Amendment requested to align with Service Level Agreements.	The following two clauses are proposed to be included: 9.2.3 in accordance with the agreed Service Level Agreement, services will be delivered in line with the standard service offering. The Service Level Agreement is an operational document and will be reviewed and updated annually, or more frequently if required. 9.2.4 as set out in the Service Level Agreement, additional work or extensions to existing work may be undertaken under an on-charge arrangement, with direct invoicing to the relevant Constituent Council.
19(d)(viii)	A Special Decision means any of the following: employ any employees.	employ any employees.	Supported	Supported	Removed
21.1.1	Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows: one person appointed by each Constituent Council which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term.	Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows: <ul style="list-style-type: none"> one person appointed by each Constituent Council having regard for: the skills, knowledge and experience required to support the Authority's strategic needs; and any identified gaps in capability; and following consultation with the Chair. one person appointed by each Constituent Council which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term.	Supported	Role of Chair not supported. Filling skills gaps not supported.	This proposed amendment was well debated by the CEOs with the CEO's conceding that in an ideal world the amendments would be workable. However, the CEOs noted that appointments will be made by their Constituent Councils, which typically prefer to appoint from within. This consequently may restrict the appointee's skill set. A view was held that the Chair would be overstepping should they be involved in the process. However, it was agreed that the Chair or the Administration could write to the Constituent Councils prior to Board appointments highlighting desired skills, knowledge and experience of new appointees. It is proposed that Clause 21.1.1 be amended as follows: Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows: <ul style="list-style-type: none"> one person appointed by each Constituent Council having regard for the skills, knowledge and experience required to support the Authority's strategic needs. with one person appointed by each Constituent Council which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term.
21.1.2	one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment for a further two three-year terms, being	one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment for a further two three-year terms, being	Supported	Supported	Supported

Clause	Revised clause	Board Appetite	CEO Appetite	Comments
	eligible for re-appointment) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in...			
22.5	The office of a Director becomes vacant if the Director...	Not supported	Supported	The CEOs found merit in both proposed amendments. <ul style="list-style-type: none"> The ability for council to remove a Director and appoint another for a variety of reasons. The penalty for failure to submit a Return was considered a valid inclusion as it aligns with the penalties for such a failure in the <i>Local Government Act 1999</i> (the Act). Administration have slightly amended the clause as put to align more closely with the Act. <ul style="list-style-type: none"> The Director is removed from office by the Constituent Councils by written notice. Fails to submit a Return as required by Section 75D of the Act.
27	Board Performance – no existing clause	Supported	Supported	The CEOs were supportive of the Board and Board Committees undergoing a performance evaluation. They requested more rigour around the review and evaluation process. Accordingly, the clause below has been refined: <p>The Board will review and evaluate its own performance against the objectives listed in East Waste's suite of strategic plans at least once per annum.</p> <p>Board committees will review and evaluate their own performance against the objectives listed in their Terms of Reference at least once per annum.</p> <p>The Board may determine the most appropriate method for assessment, which may include qualitative and quantitative measures such as self-assessment questionnaires, peer reviews, or one-on-one interviews with the Chair.</p> <p>Written copies of all performance evaluations shall be submitted to the Constituent Councils for information.</p> <p>Note: The performance of the Board and Committees is reported, in part, through East Waste's Annual Report.</p>
31	AUDIT COMMITTEE	Seek appetite for delegation of appointment process		Given the administrative burden for the Constituent Councils to appoint a person to East Waste's Audit & Risk Management Committee the majority of the CEO's believe that the Constituent Councils would be willing to delegate this power. <p>Accordingly, the following clause has been included in the clean version of the Charter:</p> <p>32.2 The Constituent Councils delegate the power contained in Schedule 2, Part 30, Clause 3 of the Local Government Act 1999, to the East Waste Board to determine or approve persons as members of the East Waste Audit & Risk Management Committee.</p>
38	DIRECTORS CONFLICT OF INTEREST REGISTER	Seek delegation for the setting of the fee for a copy of the Register of Returns.		The CEOs were not supportive of delegating the power to the East Waste Board to set the fee to be paid by a person seeking a copy of the Register of Returns. However, they proposed that the fee be set at one dollar. <p>38.2 For the purposes of Section 72(4) of the Local Government Act 1999 the Constituent Councils set the fee for a copy of the Register at \$1.</p>
45	ABOUT NON-CORE ACTIVITIES	Where before the date this Charter becomes effective the Authority has committed to a Non-core Activity:	Not considered	The CEOs recommended removal of Clause 45 – Non Core activities as there appears no operative role for this clause beyond the draft related to a 2013 update. <p>1. ABOUT NON CORE ACTIVITY</p>

Clause	Revised clause	Board Appetite	CEO Appetite	Comments	
	<p>45.1.1 a Non-core Plan for that Non-core Activity must be prepared by the Chief Executive Officer and approved by Board resolution no later than 30 June 2013, so far as that Non-core Activity at the time then remains to be performed; and</p> <p>45.1.2 all the Constituent Councils are taken to be participants in that Non-core Activity with Non-core Shares equal to their Core Shares.</p> <p>45.2 After the date this Charter becomes effective, the Authority must not tender for or commit to a Non-core Activity except in compliance with this Charter.</p>			<p>1.1 Where before the date this Charter becomes effective the Authority has committed to a Non-core Activity:</p> <p>1.1.1 a Non-core Plan for that Non-core Activity must be prepared by the Chief Executive Officer and approved by Board resolution no later than 30 June 2013, so far as that Non-core Activity at the time then remains to be performed; and</p> <p>1.1.2 all the Constituent Councils are taken to be participants in that Non-core Activity with Non-core Shares equal to their Core Shares.</p> <p>1.2 After the date this Charter becomes effective, the Authority must not tender for or commit to a Non-core Activity except in compliance with this Charter.</p>	
67.2	<p>If the Authority employs any person, it must register with the Local Government Superannuation Scheme and the Local Government Association Workers Compensation Scheme and comply with the rules of those Schemes.</p>	<p>The parties agree that the Employer will pay Employer superannuation contributions in respect of each Employee into Hostplus, or the Employee may nominate their own Superannuation Fund. Where an Employee does not nominate an alternate fund, the default shall be Hostplus Super. No Employee will be disadvantaged with the amount contributed to superannuation by the Employer regardless of superannuation fund.</p>	Supported	Supported	<p>The CEOs requested that the proposed amendment be adjusted.</p> <p>The clause has been amended to read as follows.</p> <p>The parties agree that the Employer will pay Employer superannuation contributions in respect of each employee in accordance with the Employee Superannuation Guarantee (Administration) Act 1992.</p> <p>The CEOs suggested that this matter be listed under a unique heading. It is included under clause 34</p>
	Not existing	<p>East Waste will indemnify its employees against any civil liability incurred by the employee for an honest act or omission in the exercise, performance or discharge or purported exercise performance or discharge of powers, functions and duties of the employee under the Local Government Act 1999 or any other Act.</p>	Supported	Supported	<p>The CEOs suggested that this matter be listed under a unique heading. It is included under clause 35.</p>

Conclusion

The revised East Waste Charter (**Attachment A**) reflects the East Waste Board and Constituent Council CEOs' feedback. The content has been updated to reflect current business operations and legislative requirements. Ambiguous clauses have been removed to reduce ambiguity in interpretation.

NEXT STEPS

It is recommended, subject to the endorsement of the East Waste Board, that the revised Charter as included at **Attachment C** to this report undergoes the process documented below:

1. Legal Review (Early July 2026)

The purpose of obtaining a legal review of the revised Charter is to confirm statutory compliance, strengthen the governance framework, and reduce legal and procedural risk before Constituent Council approvals. Key benefits include:

- ensuring the amendments align with the *Local Government Act 1999* and related instruments.
- validating delegations, financial and contracting limits, dispute resolution, and withdrawal/winding-up provisions.
- tightening drafting (definitions, cross-references, and clarity) to minimise ambiguity.
- confirming consistency with existing policies and instruments.
- providing an independent, defensible opinion that supports Board decision-making and Constituent Council confidence in the updated Charter.

2. Endorsement of Charter Following Legal Opinion (Mid July 2026)

Following the legal review of the revised Charter by legal representatives Administration proposes to circulate the updated Charter to Board Directors via circular resolution to seek feedback on the legal review and endorsement to forward the updated Charter to the Constituent Councils for their consideration and approval.

3. Consideration of updated Charter by Constituent Councils (August 2026)

The revised East Waste Charter will be formally circulated to Constituent Councils for consideration and approval in accordance with the requirements of the *Local Government Act 1999* and the existing Charter.

4. East Waste Board Meeting 24 September 2026

The East Waste Board considers the feedback on the updated Charter from the Constituent Councils. The updated East Waste Charter is adopted by the East Waste Board.

5. Statutory Process (October 2026)

Schedule 2, Part 19, Clause (5) of the *Local Government Act 1999* sets out the process to be followed once the content of the Charter as has been agreed to by the Constituent Councils.

- A copy of the 'new' East Waste Charter is to be forwarded to the Minister for Local Government.

- A copy of the Charter, as amended, is to be placed on the East Waste website and the websites of the Constituent Councils.
- A notice of the fact of the amendment and a website address at which the Charter is available for review must be placed in the Government Gazette.

Endorsed 28 June 2022

LOCAL GOVERNMENT ACT 1999 EASTERN WASTE MANAGEMENT AUTHORITY
Charter

PART 1—PRELIMINARY

1. DICTIONARY

In this Charter:

- Absolute Majority* means a majority of the whole number of the Constituent Councils.
- Act* means Local Government Act 1999.
- Annual Plan* means an Annual Plan that conforms to Part 14 and last adopted by the Board.
- Authority* means Eastern Waste Management Authority ('East Waste').
- Board* means the board of management of the Authority.
- Borrowings Limit* means at any time the amount authorised in the current Annual Plan and Budget of the Authority.
- Budget* means a budget that conforms to Part 14 and last adopted by the Board.
- Business Plan* means a business plan that conforms to Part 12 and last adopted by the Board.
- Chief Executive Officer* means at any time the chief executive officer of the Authority and includes that person's deputy or a person acting in that position.
- Common Fleet Collection Percentage* means the proportion of the Authority's total time required to undertake waste collection activities for a Constituent Council (represented as a percentage) calculated in accordance with clause 57.
- Constituent Council* means at any time a constituent council in relation to the Authority and on the date of publication of this Charter in the *Gazette* means Adelaide Hills Council, City of Burnside, City of Campbelltown, City of Norwood Payneham and St Peters, City of Mitcham, City of Prospect, City of Unley, Corporation of the Town of Walkerville.
- Core Activity* means activities associated with the collection, recycling and/or disposal of waste along with community behaviour change and ancillary services.
- Deputy Director* means a deputy for a Director.
- Director* means at any time a member of the Board.
- Financial Year* means 1 July in each year to 30 June in the subsequent year.
- Gazette* means the South Australian Government Gazette.
- Non-core Activity* means an activity that is not a Core Activity.
- Non-core Assets* means in relation to a Non-core Activity any assets of the Authority acquired for the purpose of that Non-core Activity and includes any revenue derived from that Non-core Activity. Where an asset or revenue is acquired or derived for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
- Non-core Liabilities* means in relation to a Non-core Activity any liabilities of the Authority incurred or assumed for the purpose of that Non-core Activity. Where a liability is incurred or assumed for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
- Non-core Plan* means a plan for a Non-core Activity that conforms to Part 13 and forms part of the Business Plan.
- Share* means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority. On the date of Gazetted of this Charter, the shares are held between the Constituent Councils in equal proportions.
- The Shares may be varied by agreement in writing of all the Constituent Councils, and must be reviewed (and if necessary, varied) where a new Constituent Council is admitted or an existing Constituent Council resigns.
- Simple Majority* means a majority of the Directors present at a Board Meeting and entitled to vote, or a majority decision of the Constituent Councils as the case may be.
- Surplus Funds* means funds that are surplus to the long-term financial requirements of the Authority, as evidenced by its Business Plan.
- Unanimous Decision* means a decision made by all of the Constituent Councils as voting in the same manner.
- Waste* means any and all waste as approved by the Environment Protection Act 1993 Licence held by the Authority and includes domestic and commercial kerbside waste, kerbside green and food/organics, kerbside recyclable material, Council waste and Council depot waste.

Subject to the above, words and expressions in this Charter have the same meaning as in a provision of the Act that deals with the same matter.

2. INTERPRETATION

In this Charter: The singular includes the plural and *vice versa* and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is to a section of the Act and includes any section that substantially replaces that section and deals with the same -matter; -headings -are for -ease of -reference only and -do not affect the construction of this Charter.

3. ABOUT THIS CHARTER

- 3.1 This Charter is the charter of the Authority.
- 3.2 This Charter binds the Authority and each Constituent Council.
- 3.3 Despite any other provision in this Charter:
- 3.3.1 if the Act prohibits a thing being done, the thing may not be done;
- 3.3.2 if the Act requires a thing to be done, Board approval is given for that thing to be done; and
- 3.3.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

- 3.4 This Charter may not be amended except as all the Constituent Councils may agree by each passing a resolution in the same terms. An amendment is not effective unless and until published in the *Gazette*.
- 3.5 The Constituent Councils may review this Charter at any time, but must in any event review this Charter at least once in every four years.
- ~~3.6 Notwithstanding Clause 3.5, the first review of this Charter is to be completed two years from the date of Gazetta of the Charter.~~

Commented [VD1]: Proposed to revert to four year review as per clause 3.5

PART 2—AUTHORITY

4. ABOUT THE AUTHORITY

The Authority is an Authority established under the Act.

5. NAME OF THE AUTHORITY

The name of the Authority is Eastern Waste Management Authority trading as 'East Waste'.

6. CORPORATE STATUS

The Authority is a body corporate.

PART 3—FUNCTIONS AND POWERS

7. PROPERTY

The Authority holds its property and assets on behalf of the Constituent Councils.

8. AREA OF INTEREST

The Authority may only undertake a Non-core Activity outside the areas of the Constituent Councils where that activity has been approved by Unanimous Decision of the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and is an activity included in a Business Plan of the Authority.

9. PURPOSE AND FUNCTIONS

- 9.1 The Authority is established by the Constituent Councils for the purpose of the collection and disposal of Waste, primarily within the areas of the Constituent Councils and has the following functions in this regard:
- 9.1.1 to predominantly operate or obtain services for the collection of Waste on behalf of Constituent Councils and/or other approved Councils;
- 9.1.2 to provide waste management services whether in or (so far as the Act allows) outside the area of any of the Constituent Councils, including waste collection, recycling of organic and inorganic materials, disposal of waste along with community behaviour change and ancillary services.;
- 9.1.3 to undertake management and collection of Waste (in accordance with regulatory approvals) and kerbside materials recovery, on behalf of Constituent Councils (and/or other approved councils) in an environmentally responsible, effective, efficient, economic and competitive manner;
- 9.2 ~~The following functions may be undertaken by the Authority but only where required or directed by one or more~~ Constituent Councils and charged directly to the Council or Councils so requiring or directing:
- 9.2.1 to promote the minimisation of Waste in the areas of the Constituent Councils;
- 9.2.2 to promote the recycling of recyclable materials in the areas of the Constituent Councils;
- 9.2.3 to undertake Waste community education and behaviour change programs on behalf of the Constituent Councils;
- 9.2.4 on behalf of the Constituent Councils or on its own behalf, to liaise with other councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters relating to Waste management in the common interest of the Constituent Councils;
- 9.2.5 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee concerned with waste management that allows two or more of the Constituent Councils to nominate a representative;
- 9.2.6 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Authority;
- 9.2.7 to keep Constituent Councils abreast of any emerging opportunities/trends/issues in waste management;
- 9.2.8 to undertake activities which result in a beneficial use of Waste on behalf of the Constituent Councils;
- 9.2.9 to conduct all activities in a manner which complies with all regulatory requirements and minimises risks to the Constituent Councils;
- 9.2.10 on behalf of the Constituent Councils or on its own behalf, to liaise with relevant State Government agencies such as Green Industries SA, Environment Protection Authority (or equivalent successor organisations), taking into account its approved Business Plan;
- 9.2.11 on behalf of the Constituent Councils, to perform and/or monitor the effectiveness and application of funding arrangements agreed by the Constituent Councils for waste management;
- 9.2.12 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities to manage waste particularly in the area of the Constituent Councils and the implications of that management beyond the area of the Constituent Councils.

Commented [CoP2]: Needs to be reviewed to align with intent of SLA

10. POWERS

The Authority may do anything necessary, expedient or incidental to performing or discharging its functions including, without limitation:

- 10.1 become a member of and/or co-operate with any organisation with complementary functions;
- 10.2 receive gifts of money or property from any person;
- 10.3 make payable by a new Constituent Council any joining fee;
- 10.4 carry out its Annual Plan and Budget;

- 10.5 carry out its Business Plan and Non-core Plans;
- 10.6 make payable by Constituent Councils contributions to the Authority in proportion to their Core Shares;
- 10.7 employ and dismiss a Chief Executive Officer;
- 10.8 contract with any person;
- 10.9 acquire or dispose of any real or personal property in accordance with the Business Plan or otherwise with a Unanimous Decision of the Constituent Councils;
- 10.10 operate an account or accounts with a bank or with the Local Government Finance Authority, or both;
- 10.11 borrow or raise money within the Borrowings Limit;
- 10.12 lend money in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Council;
- 10.13 insure against any risk;
- 10.14 enter into a partnership or joint venture with any person in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Councils;
- 10.15 pay any cost or expense of the establishment, operation, administration or winding up of the Authority;
- 10.16 compromise, compound, abandon or settle a debt or claim owed to the Authority;
- 10.17 waive a legal or equitable or statutory right;
- 10.18 refer a dispute between the Authority and any third party (other than a Constituent Council) to arbitration;
- 10.19 allocate receipts and expenditure between Core Activity and Non-core Activities and between each Non-core Activity;
- 10.20 where the same services/activities are not being provided equally to all Constituent Councils, to charge the differential costs of those services/activities directly to the benefiting Councils;
- 10.21 charge Constituent Councils the full costs incurred in the delivery of the services to them, such costs being calculated on a user pays basis (including depreciation and other overheads for use of shared assets, and all other common expenses);
- 10.22 charge non-Constituent Councils a price, based on an estimate of costs incurred in providing the service plus a margin for profit and risk;
- 10.23 make any election for the purpose of any tax;
- 10.24 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person;
- 10.25 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Authority;
- 10.26 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds;
- 10.27 such other powers as the Act or this Charter may confer upon the Authority;
- 10.28 all things incidental to the exercise of any other power of the Authority.

11. POWER OF DELEGATION

As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Authority. The Authority may not delegate the following powers or functions:

- 11.1 the power to impose charges;
- 11.2 the power to enter into transactions in excess of \$50 000 unless authorised in an Annual Plan;
- 11.3 the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Plan;
- 11.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a Budget approved by the Authority or where required by this Charter approved by the Constituent Councils;
- 11.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management;
- 11.6 the power to adopt a Budget;
- 11.7 the power to adopt an Annual Plan;
- 11.8 the power to adopt a Business Plan (or any component thereof);
- 11.9 the power to adopt or revise financial estimates and reports; and
- 11.10 the power to make any application or recommendation to the Minister.

12. GUIDING PRINCIPLES

The Authority must in the performance of its functions and in all of its plans, policies and activities give due weight to economic, social and environmental considerations.

PART 4—CONSTITUENT COUNCILS

13. CONSTITUENT COUNCILS MAY ACT INDEPENDENTLY

A Constituent Council may perform for itself the same functions and powers as the Authority could on behalf of that Constituent Council.

14. INCOMING CONSTITUENT COUNCILS

- 14.1 Any council may become a Constituent Council (an Incoming Constituent Council) if:
 - 14.1.1 it makes written application (in a form approved by the Board) to become a Constituent Council and agrees to be bound by this Charter (noting that Shares will change);
 - 14.1.2 its application is supported by a thorough, realistic, independent, and diligent Business Case analysis;
 - 14.1.3 it pays any joining fee or other payment as may be required by the Board;
 - 14.1.4 the Constituent Councils approve the application and revised Shares by Unanimous Decision; and
 - 14.1.5 the Minister approves.

14.2 An Incoming Constituent Council:

- 14.2.1 is jointly and severally liable with the other Constituent Councils for the debts and liabilities of the Authority incurred before or after the date it becomes a Constituent Council, or as otherwise agreed;
- 14.2.2 is bound by a decision made or step taken by the Board in the affairs of the Authority before it became a Constituent Council to the extent such decision or step was recorded in minutes of the Board's meetings or otherwise notified to the Incoming Constituent Council before it made application to become a Constituent Council; and
- 14.2.3 upon becoming a Constituent Council has the Share agreed between the Incoming Constituent Council and the Constituent Councils.

15. **OUTGOING CONSTITUENT COUNCILS**

- 15.1 A Constituent Council may resign if and only if:
 - 15.1.1 the Constituent Council gives at least 24 months' written notice of resignation to each Constituent Council, which notice is effective on the next 30 June on or after expiry of that period;
 - 15.1.2 the Board by majority vote approves; and
 - 15.1.3 the Minister approves.
- 15.2 A former Constituent Council remains liable to contribute to the debts and liabilities of the Authority incurred while it was a Constituent Council including by contributing to the depreciated value of any asset acquired during that time, and for a share of any future losses on contracts entered into whilst a Constituent Council.
- 15.3 A former Constituent Council:
 - 15.3.1 is not entitled to any refund of contributions made;
 - 15.3.2 relinquishes any beneficial interest in the assets of the Authority; and
 - 15.3.3 remains bound by any separate contract in force between the Authority and the former Constituent Council.
- 15.4 This Clause is to be read conjunctively with Clause 57 of this Charter.

16. **NO TRANSFER OF MEMBERSHIP**

Membership of the Authority is personal to the Constituent Council and is not transferable.

17. **CONSTITUENT COUNCILS MAY DIRECT THE AUTHORITY**

- 17.1 The Authority is subject to the joint direction and control of the Constituent Councils.
- 17.2 To be effective, a determination or direction or other decision of the Constituent Councils must be a Unanimous Decision and evidenced by either:
 - 17.2.1 a minute signed by the Chair of a meeting of authorised delegates of the Constituent Councils that at such meeting a decision was duly made by each delegate on behalf of their Constituent Council; or
 - 17.2.2 a resolution in the same terms in favour of that decision passed individually by each of the Constituent Councils.

18. **CONSTITUENT COUNCILS ARE GUARANTORS OF THE AUTHORITY**

- 18.1 As a matter of record, Schedule 2, Clause 31 (1) of the Act is that liabilities incurred or assumed by the Authority are guaranteed by the Constituent Councils.
- 18.2 As between the Constituent Councils, they share in the liabilities of the Authority in proportion to their respective Share.

19. **SPECIAL DECISIONS FOR THE AUTHORITY**

Neither the Authority nor any person on its behalf may give effect to a Special Decision unless the Constituent Councils vote in favour of a resolution for the Special Decision by Absolute Majority.

For these purposes, a Special Decision means any of the following:

- (a) adopt or vary a Business Plan;
- (b) adopt or vary an Annual Plan;
- (c) delegate the authority of the Board to any person other than the Chief Executive Officer;
- (d) to any extent not provided for in a Business Plan or Annual Plan and Budget:
 - (i) call on Constituent Councils to contribute funds;
 - (ii) grant or vary a guarantee/indemnity of the obligations of another person;
 - (iii) apply for government funding;
 - (iv) obtain credit except in the ordinary course of the activities of the Authority;
 - (v) acquire (by purchase or finance lease) a capital asset;
 - (vi) dispose of a capital asset except at the end of its effective life;
 - (vii) take a lease or tenancy of any premises;
 - (viii) employ any employees;

The Authority must promptly give effect to Special Decision made in conformity with this clause.

PART 5—DIRECTORS

20. **QUALIFICATION OF DIRECTORS**

A Director must be a natural person.

21. **APPOINTMENT OF DIRECTORS**

21.1 Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows:

- 21.1.1 one person appointed by each Constituent Council ~~having regard for:~~
 - a) ~~the skills, knowledge and experience required to support the Authority's strategic needs;~~
 - b) ~~and any identified gaps in capability; and~~
 - c) ~~following consultation with the chair,~~

which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term; and

Commented [VD3]: Administration request removal of this clause as it is ambiguous.

Commented [VD4]: Suggested inclusion. Alternatively the formation of a selection panel for the appointment of new directors with the Chair and relevant Mayor and CEO may be appropriate.

~~21.1.1~~ 21.1.2 ~~one~~ independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment for a further two three-year terms, being nine years in total) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:

- (a) corporate financial management and/or
- (b) general management and/or
- (c) waste management and/or
- (d) transport fleet management and/or
- (e) public sector governance and/or
- (f) marketing and/or
- (g) economics and/or
- (h) environmental management.

21.2 Each Constituent Council must give to the Authority a written notice of appointment of the Director appointed under Clause 21.1.1 and written confirmation of their agreement with the proposed appointment of the Director under Clause 21.1.2.

21.3 Each Director must give to the Authority a signed written consent to act as a Director, signed by him/herself.

21.4 Each Constituent Council must appoint a person to be a Deputy Director for such term as determined by that Constituent Council who may act in place of that Constituent Council's Director, and will have the same powers as a Director pursuant to the Charter, if the Director is unable for any reason to be present at a meeting of the Board; and

21.4.1 If at any time a Deputy Director is removed from their office pursuant to Clause 22A, the Constituent Council must appoint another person to be a Deputy Director.

Commented [VD5]: No clear indication of the number of three year terms the Chair may serve and whether these terms are cumulative or consecutive.

Commented [VD6]: The East Waste Board endorsed this inclusion

Commented [VD7]: Outdated language

22. REMOVAL OF DIRECTORS

22.1 Neither the Authority nor the Board may remove a Director.

22.2 A Constituent Council which appointed a person as a Director may remove that person from office by giving to the Authority a written notice of removal of the Director, signed by the Chief Executive Officer of the Constituent Council.

22.3 The Director appointed pursuant to Clause 21.1.2 may be removed by a decision being a resolution in the same or similar terms passed by an Absolute Majority of the Constituent Councils.

22.4 The Board may recommend to Constituent Councils, that the appointment of a Director be terminated in the event of:

- 22.4.1 behaviour of the Director which in the opinion of the Board amounts to impropriety;
- 22.4.2 serious neglect of duty in attending to the responsibilities of Director;
- 22.4.3 breach of fiduciary duty to the Board;
- 22.4.4 breach of the duty of confidentiality to the Board;
- 22.4.5 breach of the conflict of interest rules of the Board; or
- 22.4.6 any other behaviour which may discredit the Board.

22.5 The office of a Director becomes vacant if the Director:

- 22.5.1 dies;
- 22.5.2 is not reappointed;
- 22.5.3 resigns by written notice addressed to the Constituent Councils and served on any of them;
- 22.5.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
- 22.5.5 was when appointed an ~~elected-council~~ member or employee of the Constituent Council who appointed them and ceases to be an ~~elected-council~~ member or employee of that Constituent Council; or
- 22.5.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.

Commented [VD8]: Consider including:
 •The Director is removed from office by the Constituent Councils by written notice.
 •Fails to submit a Return as required by the Charter.

Commented [VD9R8]: Not supported by EW Board

22A. REMOVAL OF DEPUTY DIRECTORS

22A.1 Neither the Authority nor the Board may remove a Deputy Director.

22A.2 A Constituent Council which appointed a person as a Deputy Director may remove that person from their office by giving the Board a written notice of removal of the Deputy Director, signed by the Chief Executive Officer of the Constituent Council.

22A.3 The Board may recommend to Constituent Councils that the appointment of a Deputy Director may be terminated in the event of:

- 22A.3.1 behaviour of the Deputy Director which in the opinion of the Board amounts to impropriety;
- 22A.3.2 serious neglect of duty in attending to the responsibilities of the Deputy Director;
- 22A.3.3 breach of fiduciary duty to the Board;
- 22A.3.4 breach of duty of confidentiality to the Board;
- 22A.3.5 breach of the conflict of interest rules of the Board; or
- 22A.3.6 any other behaviour which may discredit the Board.

22A.4 The office of a Deputy Director becomes vacant if the Deputy Director:

- 22A.4.1 dies;
- 22A.4.2 is not reappointed;
- 22A.4.3 resigns by written notice addressed to the Constituent Councils and served on any of them;

- 22A.4.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
 22A.4.5 was when appointed an elected member or employee of the Constituent Council who appointed them and ceases to be an elected member of employee of that Constituent Council; or
 22A.4.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.

23. REMUNERATION AND EXPENSES OF DIRECTORS

- 23.1 The Authority will only remunerate the Independent Director/Chair appointed under Clause 21.1.2.
 23.2 The Board will determine the level of the remuneration (no matter how it is classified) of the Independent Director/Chair, by having regard to its Director/Chair Remuneration Policy.
 23.3 The Authority can pay a Director's travelling and other expenses that they properly incur in connection with the Authority's business and with the prior approval of the Board as recorded in minutes of Board meetings.

24. REGISTER OF INTERESTS

A Director is required to submit returns to the Authority under Chapter 5, Part 4, Division 2-1 of the Act.

25. PROTECTION FROM LIABILITY

As a matter of record, Schedule 2, Clause 38 of the Act protects a Director from certain civil liabilities.

26. SAVING PROVISION

As a matter of record, Schedule 2, Clause 40 of the Act is that no act or proceeding of the Authority is invalid by reason of:

- 26.1 a vacancy or vacancies in the membership of the Board; or
 26.2 a defect in the appointment of a Director.

27. BOARD PERFORMANCE

- 27.1 The Board will review and evaluate its own performance and the performance of its committees at least once each year.
 27.2 The Board may determine the most appropriate method for assessment, which may include qualitative and quantitative measures such as self-assessment questionnaires, peer reviews, or one-on-one interviews with the Chair.

Commented [VD10]: Proposed inclusion
 Commented [VD11R10]: This was supported by the Board

PART 6—OTHER OFFICERS

28. CHAIR

- 28.1 At all times, the Authority must have a Chair, who will be the independent Director appointed under Clause 21.1.2.
 28.2 The Chair's functions are:
 28.2.1 to preside at all meetings of the Board;
 28.2.2 to serve as an *ex officio* member of all committees established by the Board;
 28.2.3 to represent the Authority in relations with the media and the public generally; and
 28.2.4 to exercise other functions as the Board determines.

29. DEPUTY CHAIR

- 29.1 At all times, the Authority must have a Deputy Chair, who must be a Board Member.
 29.2 The Board appoints the Deputy Chair and may at any time remove from office the Deputy Chair and appoint a replacement Deputy Chair.
 29.3 The Deputy Chair's functions are:
 29.3.1 to assist the Chair; and
 29.3.2 to exercise the Chair's functions whenever the Chair is unable to do so.
 29.4 A person ceases to be Deputy Chair if they cease to be a Board Member.

30. CHIEF EXECUTIVE OFFICER

- 30.1 At all times so far as practicable, the Authority must have a Chief Executive Officer.
 30.2 At any time the Board may give a new title to the position of Chief Executive Officer in which case this Charter is taken to refer to the same position under a new title.
 30.3 The Board shall appoint a Chief Executive Officer on a fixed term performance based employment contract, which does not exceed five years in duration.
 30.4 The Board may at the end of the contract term, enter into a new contract not exceeding five years in duration with the same person.
 30.5 The Board may revoke or vary an appointment of a Chief Executive Officer, subject to any agreement made between the Chief Executive Officer and the Authority.
 30.6 In the absence of the Chief Executive Officer for any period exceeding one week, the Chief Executive Officer shall appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
 30.7 The Board delegates responsibility for day to day management of the Authority to the Chief Executive Officer, who will ensure that sound business, risk minimisation, financial and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
 30.8 The functions of the Chief Executive Officer shall include:
 30.8.1 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 30.8.2 providing information to assist the Board to assess the Authority's performance against its Business Plan;
 30.8.3 appointing, managing, suspending and dismissing other employees of the Authority;
 30.8.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 30.8.5 ~~co-ordinating~~ coordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
 30.8.6 ensuring that the assets and resources of the Authority are properly managed and maintained;
 30.8.7 ensuring that records required under the Act or any other legislation are properly kept and maintained;

- 30.8.8 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board, and achieving financial outcomes in accordance with adopted plans and budgets;
- 30.8.9 issuing notices calling Board meetings;
- 30.8.10 attending all Board meetings and keeping correct minutes of the proceedings unless excluded by resolution of the Board;
- 30.8.11 managing all other employees of the Authority;
- 30.8.12 receiving and answering correspondence and notices to the Authority;
- 30.8.13 keeping all documents and records belonging to the Authority;
- 30.8.14 supervising the handling of money by or for the Authority and the keeping of financial records;
- 30.8.15 issuing receipts for moneys received and keep a correct account of all receipts and expenditure;
- 30.8.16 operating the Authority's bank account (including sign cheques and other negotiable instruments and make payments over the Internet within the delegations to the position) together with one other signatory appointed by the Board. Unless the Board determines otherwise, that other person must be the Chair;
- 30.8.17 having custody and safekeeping of the records of the Authority;
- 30.8.18 preparing draft Annual and Business Plans for consideration of the Board;
- 30.8.19 monitoring the financial performance of the Authority against an adopted Annual and Business Plan and promptly reporting to the Board any material discrepancies known or anticipated;
- 30.8.20 preparing such statements, reports, returns or other written information as the Act or any law requires the Authority to lodge with the government;
- 30.8.21 preparing draft financial statements; and
- 30.8.22 such other functions as the Board may vest in the Chief Executive Officer.
- 30.9 The Board may delegate to the Chief Executive Officer any of the powers that the Board can exercise where those powers are not restricted from delegation by the Act or this Charter, noting that:
 - 30.9.1 the Chief Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Chief Executive Officer;
 - 30.9.2 where a power or function is delegated to an employee, the employee is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function; and
 - 30.9.3 a written record of delegations and sub-delegations must be kept by the Chief Executive Officer at all times.
- 30.10 The Chief Executive Officer enjoys functions and responsibilities set out at Section 99 (1) (a), (b), (c), (d), (e) and (h) and 103 of the Act as if the Authority were a council and the Chief Executive Officer were a chief executive officer of a council.
- 30.11 The Chief Executive Officer may establish an Operations Assistance Committee consisting of one appropriately qualified senior officer from each Constituent Council.
- 30.12 The Chief Executive Officer will, at least annually, hold a meeting collectively with each of the Mayors and CEO's of the Constituent Councils at a venue to be notified to the Constituent Councils at least 14 days prior to the date of the meeting.

31. AUDITOR

The Authority must have an auditor. Subject to the Act an auditor holds office on the terms and conditions (including as to remuneration) that the Board determines.

PART 7—AUDIT COMMITTEE

32. AUDIT COMMITTEE

As a matter of record, the Authority is required to establish an audit committee and Schedule 2, Clause 30 of the Act governs the constitution and functions of the audit committee.

PART 8—STAFF

33. STAFF

- 33.1 In addition to a Chief Executive Officer, the Authority may employ other staff subject to the Board making appropriate financial provision.
- 33.2 The Board and a Constituent Council may arrange for that Constituent Council to make available its staff in connection with the Authority's affairs for such remuneration (if any) as those parties may agree.
- 33.3 ~~East Waste will indemnify its employees against any civil liability incurred by the employee for an honest act or omission in the exercise, performance or discharge or purported exercise performance or discharge of powers, functions and duties of the employee under the Local Government Act 1999 or any other Act.~~

PART 9—BOARD

34. BOARD

- The Authority must at all times have a Board comprised of Directors.
- 34.1 The Constituent Councils acknowledge and accept that the Directors will act and take decisions in the best interest of the Authority.
 - 34.2 The Constituent Councils understand that each Director nominated by a Constituent Council will bring to discussion a perspective from the Council which nominated that Director but that shall not interfere with the obligations of Directors in respect of Clause 33.1.

Commented [VD12]: Proposed inclusion - currently no civil liability protections for staff.

35. BOARD'S POWERS

- 35.1 As a matter of record, Schedule 2, Clause 22 (1) of the Act is that the Board is responsible for the administration of the affairs of the Authority.
- 35.2 As a matter of record, Schedule 2, Clause 22 (3) of the Act is that anything done by the Board in the administration of the Authority's affairs is binding on the Authority.
- 35.3 The Board may exercise all the powers of the Authority except -any powers -that the Act or this Charter [requires the](#) Constituent Councils to exercise.
- 35.4 As a matter of record, Schedule 2, Clause 36 (1) of the Act authorises the Board to delegate powers or functions conferred under this or another Act.
- 35.4.1 A delegation of powers by the Board:
- (a) may authorise the delegate to sub-delegate all or any of the powers vested in the delegate;
 - (b) is concurrent with the exercise by the Board of those powers;
 - (c) is subject to any specified conditions and limitations; and
 - (d) is revocable at will.

36. BOARD MEETINGS

- 36.1 Subject to Schedule 2, Clause 21 of the Act, to a direction of the Constituent Councils and to the other provisions of this Charter.
- 36.1.1 the Board must determine its own procedures for meetings, which must be fair and contribute to free and open decision making;
- 36.1.2 the Board must set out the adopted meeting procedures in a meeting procedure code of practice which will be available to the public for inspection (without charge) and by way of a copy (on payment of a fee fixed by the Board); and
- 36.1.3 the code of practice may be reviewed by the Board at any time but must be reviewed at least once in every three years.
- 36.2 An ordinary meeting of the Board must be held at least every three calendar months.
- 36.3 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or absent any decision of the Board the Chief Executive Officer of the Authority. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all Board Members.
- 36.4 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 36.5 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and to each Constituent Council not less than three clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.
- 36.6 The Chair or any two Directors may call a special meeting of the Board.
- 36.7 A special meeting of the Board must be held at a reasonable time and if the meeting is to be held in person, at a reasonable place.
- 36.8 Unless all Directors entitled to vote at the meeting agree otherwise, the persons calling a special Board meeting must give to the Chief Executive Officer a notice of meeting that:
- 36.8.1 sets out the place, date and time for the meeting;
 - 36.8.2 states the general nature of the business of the meeting;
 - 36.8.3 is accompanied by relevant information so far as reasonably available (if not already given to the Directors); and
 - 36.8.4 is provided at least one clear business day before the special meeting (or such other period as all the Directors in office may as a matter of general policy determine otherwise).
- 36.9 A notice of special meeting provided to Directors by the Chief Executive Officer will at the same time be placed ~~on public~~ [on the website](#) ~~display at the principal office~~ of the Authority and of each Constituent Council.
- 36.10 As a matter of record, Schedule 2, Clause 21 (5) of the Act permits a virtual Board meeting.
- 36.10.1 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Directors provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Directors taking part in the meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Directors present. At the commencement of the meeting, each Director must announce ~~his/her~~ [their](#) presence to all other Directors taking part in the meeting. A Director must not leave a telecommunications meeting by disconnecting ~~his/her~~ [their](#) telephone, audio visual or other communication equipment, unless that Director has previously notified the chair of the meeting.
- 36.11 As a matter of record, Schedule 2, Clause 21 (6) of the Act permits a decision of the Board to be made in writing and not at a meeting.
- 36.11.1 A proposed resolution in writing and given to all Directors in accordance with proceedings determined by the Board will be a valid decision of the Board where a simple majority of Directors vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at the meeting of the Board duly convened and held.
- 36.12 Chapter 6, Parts 3 and 4 (public access to meetings and minutes) of the Act (to the extent that Part 4 is not inconsistent with this Charter) apply to Board meetings as if the Authority were a council and the Directors were members of a council.

Commented [VD13]: Outdated public notice provision

- 36.13 Unless the Directors determine otherwise, the quorum for a Board meeting is a number ascertained by dividing the total number of members of the committee by two, ignoring any fraction resulting from the division and adding one.
- 36.14 At any time, the Board may agree to invite a person to attend a Board meeting as an observer or adviser.
- 36.15 As a matter of record, Schedule 2, Clauses 21 (4) (one vote per Director, no casting vote) and 21 (3) (majority vote) of the Act govern voting at a Board meeting.
- 36.16 As a matter of record, Schedule 2, Clause 21 (11) of the Act obliges the Board to keep minutes of its proceedings. All minutes must be prepared and distributed to both Directors and also to Constituent Councils within seven business days of the meeting to which they relate.

PART 10—COMPETITIVE NEUTRALITY

37. COMPETITIVE NEUTRALITY

- 37.1 For the purposes of Schedule 2, Clause 32 of the Act, the Authority is not involved in a significant business activity in undertaking its Core Activity.
- 37.2 In respect of any Non-core Activity that is a significant business activity, the Authority must at all times have current a National Competition Policy Statement in relation to competitive neutrality which it will adhere to in undertaking that Non-core Activity.

PART 11—GOVERNANCE

38. DIRECTOR'S CONFLICT OF INTEREST

As a matter of record, by Section 75 (2) of the Act, the provisions of Chapter 5, Part 4, Division 3-1 apply to Directors.

39. DIRECTOR'S DUTIES OF CARE

As a matter of record, Schedule 2, Clause 23 of the Act (care and diligence) and Schedule 2, Clause 34 of the Act (honesty, use of information, use of position) set out certain statutory duties that apply to a Director.

40. BOARD POLICIES AND CODES

- 40.1 The Authority must, in consultation with the Constituent Councils, prepare and adopt and thereafter keep under review policies on:
- 40.1.1 procedures for meetings of the Board (in accordance with Clause 35.1 of this Charter);
 - 40.1.2 contracts and tenders, as would conform to Section 49 of the Act;
 - 40.1.3 public consultation, as would conform to Section 50 of the Act.
 - 40.1.4 governance including as concerns:
 - (a) the operation of any account with a bank or Local Government Finance Authority;
 - (b) human resource management;
 - (c) improper assistance to a prospective contract party;
 - (d) improper offering of inducements to Directors or to staff of the Authority;
 - (e) improper lobbying of Directors or staff of the Authority;
 - 40.1.5 occupational health and safety;
 - 40.1.6 protection of the environment.
- 40.2 To the extent it is able, the Board must ensure that such policies as above are complied with in the affairs of the Authority.
- 40.3 The Board must prepare and adopt within six months after the Gazettal of this Charter, a code of conduct to be observed by Directors.

41. BOARD DUTIES TO CONSTITUENT COUNCILS

As a matter of record, Schedule 2, Clause 22 (2) of the Act is that the Board must ensure as far as practicable:

- 41.1 that the Authority observes all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils;
- 41.2 that all information furnished to a Constituent Council is accurate; and
- 41.3 that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.

42. BOARD DUTIES TO THE AUTHORITY

The Board must ensure:

- 42.1 that the Authority acts in accordance with applicable laws, mandatory codes of practice, this Charter, Business Plan, Annual Plan and achieves the financial outcomes projected in its Budget;
- 42.2 that the Authority acts ethically and with integrity;
- 42.3 that the activities of the Authority are conducted efficiently and effectively and that any assets of the Authority are properly managed and maintained; and
- 42.4 that, subject to any overriding duty of confidence, the affairs of the Authority are undertaken in an open and transparent manner.

PART 12—BUSINESS PLANS

43. BUSINESS PLANS

As a matter of record, Schedule 2, Clause 24 of the Act sets out requirements for Business Plans. The following provisions of this Part are in addition to and not in derogation of the requirements of the Act.

44. ABOUT A BUSINESS PLAN

- 44.1 The Board must prepare at least a ten-year Business Plan for the region, in a collaborative manner with Constituent Councils which cannot be in conflict with this Charter.
- 44.2 The Board must also prepare a ten-year Long Term Financial Plan (which, must include principles detailing the actual distribution of overheads between the Constituent Councils and any other matter required by the Constituent Councils or determined by the Board to be included therein) and an Asset Management Plan.
- 44.3 The Long Term Financial and Asset Management Plans form part of the Business Plan.
- 44.4 In preparing and when reviewing a Business Plan, the Board must at a minimum have regard to the following:
 - 44.4.1 any State Government Agency Waste plan then in force in relation to the area of a Constituent Council and any proposed changes to such plan;
 - 44.4.2 any initiatives proposed by the Commonwealth of Australia or the State Government as may impact upon or affect proper waste management in the area of an individual Constituent Council or Constituent Councils collectively;
 - 44.4.3 any plan or policy of a Constituent Council for waste management then in force, and any proposed changes to such plan or policy;
 - 44.4.4 the strategic management plans of each Constituent Council then in force; and
 - 44.4.5 the annual business plan and budget of each Constituent Council then in force.

PART 13—NON-CORE ACTIVITY

45. ABOUT NON-CORE ACTIVITY

- 45.1 Where before the date this Charter becomes effective the Authority has committed to a Non-core Activity:
 - 45.1.1 a Non-core Plan for that Non-core Activity must be prepared by the Chief Executive Officer and approved by Board resolution no later than 30 June 2013, so far as that Non-core Activity at the time then remains to be performed; and
 - 45.1.2 all the Constituent Councils are taken to be participants in that Non-core Activity with Non-core Shares equal to their Core Shares.
- 45.2 After the date this Charter becomes effective, the Authority must not tender for or commit to a Non-core Activity except in compliance with this Charter.

46. NON-CORE ACTIVITY PROPOSALS

The Chief Executive Officer, the Board or any Constituent Council may propose the Authority adopt a Non-core Plan.

47. NON-CORE ACTIVITY CONSULTATION

A proposer of a draft Non-core Plan must consult all the Constituent Councils in developing the draft.

48. NON-CORE PLAN REQUIREMENTS

A draft Non-core Plan must set out in reasonable detail in relation to the Non-core Activity it concerns:

- 48.1 the kind of service to which it relates;
- 48.2 its priority in relation to other existing or proposed Core Activity and Non-core Activity;
- 48.3 its expected duration;
- 48.4 a timetable for its full implementation;
- 48.5 its anticipated effect on the resources of the Authority (including financial, technological, physical and human resources) and in particular and without limiting the generality of the foregoing:
 - 48.5.1 personnel requirements over time, and how those requirements are to be satisfied;
 - 48.5.2 plant and equipment requirements over time, and how those requirements are to be satisfied;
 - 48.5.3 fuel and other consumables requirements over time, and how those requirements are to be satisfied;
 - 48.5.4 access to weigh-stations, recycling premises, and waste dump premises over time, and how those requirements are to be satisfied;
- 48.6 its anticipated expenditure, revenue and cash-flow outcomes over time (on a calendar monthly basis);
- 48.7 the sources of funds and when those funds need be sourced;
- 48.8 whether and if so what resources of a Constituent Council are required to be available to the Non-core Activity;
- 48.9 whether the Local Government Mutual Liability Scheme has forecast any peculiar liability issues for the Non-core Activity, and the advice given in relation to those liability issues;
- 48.10 whether the lawyers for the Authority have forecast any peculiar legal issues for the Non-core Activity, and the advice given in relation to those legal issues;
- 48.11 whether the auditors of the Authority have forecast any peculiar accounting or audit issues for the Non-core Activity;
- 48.12 governance issues, including whether and what delegations are required;
- 48.13 whether the Non-core Activity is a significant business activity and if so, how adherence to the National Competition Policy will be assured; and
- 48.14 how the Non-core Plan may change over time.

49. CONDITIONS OF ADOPTION OF A NON-CORE PLAN

A Non-core Plan is not effective unless and until all of the following are satisfied:

- 49.1 the Board resolves to adopt the Non-core Plan;

- 49.2 the Constituent Councils have each resolved to:
- 49.2.1 approve their Council's participation in the Non-core Activity; and
 - 49.2.2 make any necessary consequential changes to their Council's strategic management plans, annual business plan and budget.

50. NON-CORE PLANS AS PART OF THE BUSINESS PLAN

A Non-core Plan adopted by the Authority forms part of the Business Plan.

51. REVIEW OF A NON-CORE PLAN

As part of a Business Plan, a Non-core Plan is subject to review by the Authority at the same times as the remainder of the Business Plan.

PART 14—ANNUAL PLAN AND BUDGET

52. ANNUAL PLAN

The Authority must, for each financial year, have an Annual Plan which supports and informs its Budget. The Annual Plan must:

- 52.1 include an outline of the Authority's objectives for the financial year, the activities that the Authority intends to undertake to achieve those objectives and the measures that the Authority intends to use to assess its performance against its objectives over the financial year;
- 52.2 assess the financial requirements of the Authority for the financial year and, taking those requirements into account, set out a summary of the Authority's proposed operating expenditure, capital expenditure and sources of revenue;
- 52.3 take into account the objectives set out in the Business Plan and, in particular, the Long-Term Financial Plan and issues relevant to the management of assets and resources by the Authority;
- 52.4 set out proposals for the recovery of overheads over the financial year from the Constituent Councils; and
- 52.5 address or include any other matter prescribed by the Constituent Councils or determined to be relevant by the Board.

53. ABOUT AN ANNUAL PLAN

- 53.1 An adopted Annual Plan binds the Authority and is the basis upon which the Budget is prepared.
- 53.2 Before the Authority adopts its Annual Plan it must prepare a draft Annual Plan and obtain the consent of an Absolute Majority of the Constituent Councils to that Plan.
- 53.3 The Authority must prepare the draft Annual Plan and provide it to the Constituent Councils by a date determined by the Councils for the purpose of obtaining the consent of the Councils on or before 31 May in each financial year.

54. BUDGETS

As a matter of record, Schedule 2, Clause 25 of the Act sets out requirements for Budgets, and the Authority must advise Constituent Councils of the proposed fees for the next financial year by 1 April in the preceding financial year.

55. ABOUT A BUDGET

- 55.1 An adopted Budget (prepared in a manner consistent with the Annual Plan) binds the Authority and is authority for the Authority to perform work and incur debts and meet obligations according to its own terms -without reference back -to the Board or to a Constituent Council (except to any extent the Budget or the Annual Plan otherwise requires).
- 55.2 Each Budget of the Authority must be adopted:
 - 55.2.1 after the Authority has adopted its Annual Plan;
 - 55.2.2 must be consistent with that Plan; and
 - 55.2.3 before 30 June in each financial year.

56. EXPENDITURE OUTSIDE A BUDGET

- 56.1 As a matter of record, Schedule 2, Clause 25(4) is that the Authority may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget without consulting with and seeking approval from the Constituent Councils.
- 56.2 As a matter of record, Schedule 2, Clause 25 (5) is that the Authority may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.

PART 15—SHARES

57. ABOUT SHARES

A Share means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority (after deducting Non-core Assets and Non-core Liabilities) as between all the Constituent Councils in accordance with this Part 15.

To avoid doubt, a third party dealing with the Authority is entitled to have recourse to all the Constituent Councils jointly and severally, regardless of the Shares of the Constituent Councils.

58. VARIATION OF SHARES

- 58.1 At the date of operation of this Charter the Constituent Councils' shares in the Authority are equal.
- 58.2 At any time, all the Constituent Councils may in writing agree to vary the Share of one or more of them.
- 58.3 The Shares must be reviewed and, as necessary, varied each time:
 - 58.3.1 a council is admitted to the Authority as a Constituent Council;
 - 58.3.2 a Constituent Council amalgamates with another council; or
 - 58.3.3 a Constituent Council resigns from the Authority.

58.4 It is agreed between the Constituent Councils that the Constituent Councils are liable to contribute to any debts and liabilities of the Authority incurred prior to the date of operation of this Charter (including in relation to the depreciated value of any asset acquired and for any losses under contract entered into before that date) in the Shares set out at Clause 57.4 above.

PART 16—FUNDING

59. FUNDING

The Authority may decline to take any action where funds then available to the Authority are in the Board's opinion insufficient to defray the costs of such action and any debt or liability that may result.

60. CONSTITUENT COUNCIL CONTRIBUTIONS TO WORKING CAPITAL

60.1 This Clause applies only to a Core Activity.

60.2 A Constituent Council must contribute to the Authority such amounts at such times as the Budget requires (after deducting from the Budget any amounts identified as Non-core Assets and Non-Core Liabilities).

60.3 If the Budget does not specify a fixed dollar amount to be payable by the Contributor, the Constituent Council may require as a condition of payment that the Authority first provide an itemised estimate of the Core Activity expenditure reasonably expected to be incurred and which that contribution is to defray (after adjustments for payments previously made by that Constituent Council).

60.4 The Authority must use contributions received from a Constituent Council only for the purposes of a Core Activity as set out in the Budget.

60.5 If a Constituent Council (a Defaulter) fails to pay its full contribution so required when due:

60.5.1 the Defaulter must pay to the Authority interest on that amount at the official Reserve Bank Cash Rate Target plus 10% per annum from the due date to the date of actual payment;

60.5.2 the Authority may recover that amount and that interest from the Defaulter as a debt;

60.5.3 the Authority may, without prejudicing its other rights, set off any moneys otherwise payable by the Authority to the Defaulter against that amount and interest; and

60.5.4 if the default continues for at least 14 days:

(a) the Authority must notify all Constituent Councils (including the Defaulter) of the fact and details of the default; and

(b) Constituent Councils other than the Defaulter must together lend to the Authority an amount (equal to the amount not paid by the Defaulter) in such proportions as they may agree or failing agreement between themselves, in the proportion that their Share bears to the total Shares held by those Constituent Councils making such loan, for repayment when and to the extent the Defaulter makes good the contribution and accrued interest.

61. DEBT FUNDING

The Authority may borrow or raise money from the Local Government Finance Authority or a bank of such amount(s) as provided for in a Business Plan and Budget approved by the Constituent Councils.

62. DISTRIBUTIONS TO CONSTITUENT COUNCILS

The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Common Fleet Collection Percentages to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.

63. CONTRIBUTIONS ON INSOLVENCY

On the insolvency of the Authority, and subject to Clause 57 of this Charter, each Constituent Council must contribute in proportion to their Share to the debts and liabilities of the Authority and otherwise as incurred while the Constituent Council is a Constituent Council.

PART 17—ASSETS

64. ACQUISITION OF ASSETS

The Authority may in accordance with this Charter acquire such assets (real or personal) as its Business Plan provides or otherwise pursuant to a Unanimous Decision of the Constituent Councils.

65. DISPOSAL OF ASSETS

The Authority may dispose of (personal) assets as its Business Plan provides, or at the end of the asset's economic life.

66. INVESTMENTS

In accordance with its Business Plan and Budget the Authority may invest in the items below:

66.1 in waste management infrastructure and ancillary land;

66.2 in plant and equipment to store, transfer and/or treat waste;

66.3 in plant and equipment to transport waste from properties to an appropriate place of storage and/or disposal; and

66.4 cash on interest-bearing deposit with any bank.

67. INTERESTS IN COMPANIES

As a matter of record, Schedule 2, Clause 39 of the Act prohibits the Authority from having an interest in most companies.

PART 18—INSURANCE

68. INSURANCE

68.1 The Authority must register with the Local Government Association Mutual Liability Scheme and comply with the rules of that Scheme.

68.2 ~~The parties agree that the Employer will pay Employer superannuation contributions in respect of each Employee into Hostplus, or the Employee may nominate their own Superannuation Fund. Where an Employee does not nominate an alternate fund, the default shall be Hostplus Super. No Employee will be disadvantaged with the amount contributed to superannuation by the Employer regardless of superannuation fund.~~

68.3 The amount of the Employer superannuation contribution will be contributions which the Employer must pay to a superannuation fund in respect of the Employee in order to avoid becoming liable for a shortfall in respect of the Employee

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under the Superannuation Guarantee (Administration) Act 1992 (Cth); and any additional superannuation contributions which the Employer agrees to pay in respect of the Employee.

68.4 East Waste will indemnify its employees against any civil liability incurred by the employee for an honest act or omission in the exercise, performance or discharge or purported exercise performance or discharge of powers, functions and duties of the employee under the Local Government Act 1999 or any other Act

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PART 19—FINANCIAL PRACTICES

69. ACCOUNTING RECORDS

The Authority must comply with Section 124 of the Act as if the Authority were a council.

70. ABOUT ACCOUNTING FOR SERVICES

The Authority must keep accounting records in relation to services in such manner as will enable the calculation of Constituent Councils' contributions to, expenditure on and revenue from that service separately.

71. OTHER FINANCIAL PRACTICES

Except as may be stated elsewhere in this Charter or required by law, there are no special accounting, internal auditing or financial systems or practices to be established or observed by the Authority.

PART 20—ACCESS TO INFORMATION

72. ACCESS TO RECORDS

A Constituent Council and a Director each has a right to inspect and take copies of the books and records of the Authority for any proper purpose.

73. PROVISION OF INFORMATION

As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Authority.

74. BOARD REPORTS

The Authority must provide Board reports to the Directors and Constituent Councils in accordance with this Charter and otherwise at such times, in such format and with such content as the Board may determine.

75. ANNUAL REPORTS

- 75.1 As a matter of record, Schedule 2, Clause 28 of the Act requires the Authority to furnish an annual report to the Constituent Councils.
- 75.2 The annual report will be in such format and include such content as the Constituent Councils may prescribe by Absolute Majority.
- 75.3 The annual report must be delivered to the Councils on or before 30 September in each year subsequent to the financial year to which the report relates.

PART 21—DISPUTE RESOLUTION

76. DISPUTE RESOLUTION

76.1 About this clause:

- 76.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.
- 76.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.
- 76.1.3 This Clause does not prejudice the right of a party:
 - (a) to require the continuing observance and performance of this Charter by all parties; or
 - (b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.
- 76.1.4 Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

76.2 Step 1: Notice of dispute: A party to the dispute must promptly notify each other party to the dispute:

- 76.2.1 the nature of the dispute, giving reasonable details;
- 76.2.2 what action (if any) the party giving notice thinks will resolve the dispute; and but a failure to give such notice does not entitle any other party to damages.

76.3 Step 2: Meeting of the parties: A party to the dispute who complies with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

76.4 Step 3: Mediation: Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:

- 76.4.1 the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation);

- 76.4.2 the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing;
- 76.4.3 the mediation must take place in a location in Adelaide agreed by the parties;
- 76.4.4 a party in dispute must co-operate in arranging and expediting mediation;
- 76.4.5 a party in dispute must send to the mediation a senior manager with authority to resolve the dispute;
- 76.4.6 the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit;
- 76.4.7 a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute;
- 76.4.8 unless otherwise agreed in writing:
- (a) everything that occurs before the mediator is in confidence and in closed session;
 - (b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;
 - (c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;
 - (d) the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;
- 76.4.9 a party in dispute need not spend more than one day in mediation for a matter under dispute;
- 76.4.10 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.
- 76.5 **Step 4: Arbitration:** Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:
- 76.5.1 there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators Australia (South Australian Chapter);
- 76.5.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;
- 76.5.3 the arbitration must take place in an agreed location in Adelaide;
- 76.5.4 a party must co-operate in arranging and expediting arbitration;
- 76.5.5 a party must send to the arbitration a senior manager with authority to resolve the dispute;
- 76.5.6 the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator;
- 76.5.7 the arbitrator must:
- (a) consider the evidence and submissions;
 - (b) decide the dispute; and
 - (c) give written reasons to each party;
- 76.5.8 subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of The Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 1986/2011 (S.A.) and which Rules are taken to be incorporated by reference into this clause or subject to this clause, the arbitrator must fix the rules of arbitration;
- 76.5.9 the costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

PART 22—WINDING UP

77. **WINDING UP**

The Authority may be wound up in circumstances as Schedule 2, Clause 33 (1) of the Act allows or requires.

78. **DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP**

In the event the Authority commences to wind up and except to any extent the Board unanimously determines otherwise, the Authority must divide among the Constituent Councils in kind all of the Authority's assets and liabilities in proportion to their Shares or as otherwise agreed by Unanimous Decision of the Constituent Councils.

PART 23—COMMITTEES

79. **COMMITTEES**

- 79.1 The Board may establish a committee of Directors for the purpose of enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference given by the Board to the committee.
- 79.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 79.3 The Board may establish advisory committees consisting of or including persons who are not Directors for enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.
- 79.4 A member of an advisory committee established under this Clause holds office at the pleasure of the Board.

PART 24—OTHER MATTERS

80. **EXECUTION OF DOCUMENTS**

The Chief Executive Officer must maintain a register of use of the Common Seal. As a matter of record, Schedule 2, Clause 37 of the Act governs the execution of documents by the Authority.

81. **PRINCIPAL OFFICE**

The Authority's principal office is at 1 Temple Court, Ottoway, S.A. 5013 or as the Board may determine otherwise.

Commented [VD18]: Current version of Act is 2011

Endorsed 28 June 2022

82. SERVICE OF DOCUMENTS

A document to be given by the Authority to a Constituent Council, or by a Constituent Council to the Authority may be given in a manner Section 280 of the Act permits. A written notice given by the Authority to a Constituent Council must be marked, 'Attention: Chief Executive Officer'.

Commented [VD19]: Removed space

83. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its terms, the Board may consider the circumstances and determine the action to be taken.

The undersigned (being each Council specified in the Charter) agree to the above as the charter of the Authority.

[Leonard Leyland](#) ~~Rob Gregory~~, General Manager East Waste

Endorsed 28 June 2022

LOCAL GOVERNMENT ACT 1999 EASTERN WASTE MANAGEMENT AUTHORITY
Charter

PART 1—PRELIMINARY

1. DICTIONARY

In this Charter:

- Absolute Majority* means a majority of the whole number of the Constituent Councils.
- Act* means Local Government Act 1999.
- Annual Plan* means an Annual Plan that conforms to Part 14 and last adopted by the Board.
- Authority* means Eastern Waste Management Authority ('East Waste').
- Board* means the board of management of the Authority.
- Borrowings Limit* means at any time the amount authorised in the current Annual Plan and Budget of the Authority.
- Budget* means a budget that conforms to Part 14 and last adopted by the Board.
- Business Plan* means a business plan that conforms to Part 12 and last adopted by the Board.
- Chief Executive Officer* means at any time the chief executive officer of the Authority and includes that person's deputy or a person acting in that position.
- Common Fleet Collection Percentage* means the proportion of the Authority's total time required to undertake waste collection activities for a Constituent Council (represented as a percentage) calculated in accordance with clause 57.
- Constituent Council* means at any time a constituent council in relation to the Authority and on the date of publication of this Charter in the *Gazette* means Adelaide Hills Council, City of Burnside, City of Campbelltown, City of Norwood Payneham and St Peters, City of Mitcham, City of Prospect, City of Unley, Corporation of the Town of Walkerville.
- Core Activity* means activities associated with the collection, recycling and/or disposal of waste along with community behaviour change and ancillary services.
- Deputy Director* means a deputy for a Director.
- Director* means at any time a member of the Board.
- Financial Year* means 1 July in each year to 30 June in the subsequent year.
- Gazette* means the South Australian Government Gazette.
- Non-core Activity* means an activity that is not a Core Activity.
- Non-core Assets* means in relation to a Non-core Activity any assets of the Authority acquired for the purpose of that Non-core Activity and includes any revenue derived from that Non-core Activity. Where an asset or revenue is acquired or derived for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
- Non-core Liabilities* means in relation to a Non-core Activity any liabilities of the Authority incurred or assumed for the purpose of that Non-core Activity. Where a liability is incurred or assumed for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
- Non-core Plan* means a plan for a Non-core Activity that conforms to Part 13 and forms part of the Business Plan.
- Share* means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority. On the date of Gazetted of this Charter, the shares are held between the Constituent Councils in equal proportions.
- The Shares may be varied by agreement in writing of all the Constituent Councils, and must be reviewed (and if necessary, varied) where a new Constituent Council is admitted or an existing Constituent Council resigns.
- Simple Majority* means a majority of the Directors present at a Board Meeting and entitled to vote, or a majority decision of the Constituent Councils as the case may be.
- Surplus Funds* means funds that are surplus to the long-term financial requirements of the Authority, as evidenced by its Business Plan.
- Unanimous Decision* means a decision made by all of the Constituent Councils as voting in the same manner.
- Waste* means any and all waste as approved by the Environment Protection Act 1993 Licence held by the Authority and includes domestic and commercial kerbside waste, kerbside green and food/organics, kerbside recyclable material, Council waste and Council depot waste.

Subject to the above, words and expressions in this Charter have the same meaning as in a provision of the Act that deals with the same matter.

2. INTERPRETATION

In this Charter: The singular includes the plural and *vice versa* and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is to a section of the Act and includes any section that substantially replaces that section and deals with the same -matter; -headings -are for -ease of -reference only and -do not affect the construction of this Charter.

3. ABOUT THIS CHARTER

- 3.1 This Charter is the charter of the Authority.
- 3.2 This Charter binds the Authority and each Constituent Council.
- 3.3 Despite any other provision in this Charter:
- 3.3.1 if the Act prohibits a thing being done, the thing may not be done;
- 3.3.2 if the Act requires a thing to be done, Board approval is given for that thing to be done; and
- 3.3.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

- 3.4 This Charter may not be amended except as all the Constituent Councils may agree by each passing a resolution in the same terms. An amendment is not effective unless and until published in the *Gazette*.
- 3.5 The Constituent Councils may review this Charter at any time, but must in any event review this Charter at least once in every four years.
- ~~3.6 Notwithstanding Clause 3.5, the first review of this Charter is to be completed two years from the date of Gazetta of the Charter.~~

Commented [VD1]: Proposed to revert to four year review as per clause 3.5

PART 2—AUTHORITY

4. ABOUT THE AUTHORITY

The Authority is an Authority established under the Act.

5. NAME OF THE AUTHORITY

The name of the Authority is Eastern Waste Management Authority trading as 'East Waste'.

6. CORPORATE STATUS

The Authority is a body corporate.

PART 3—FUNCTIONS AND POWERS

7. PROPERTY

The Authority holds its property and assets on behalf of the Constituent Councils.

8. AREA OF INTEREST

The Authority may only undertake a Non-core Activity outside the areas of the Constituent Councils where that activity has been approved by Unanimous Decision of the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and is an activity included in a Business Plan of the Authority.

9. PURPOSE AND FUNCTIONS

- 9.1 The Authority is established by the Constituent Councils for the purpose of the collection and disposal of Waste, primarily within the areas of the Constituent Councils and has the following functions in this regard:
- 9.1.1 to predominantly operate or obtain services for the collection of Waste on behalf of Constituent Councils and/or other approved Councils;
- 9.1.2 to provide waste management services whether in or (so far as the Act allows) outside the area of any of the Constituent Councils, including waste collection, recycling of organic and inorganic materials, disposal of waste along with community behaviour change and ancillary services.;
- 9.1.3 to undertake management and collection of Waste (in accordance with regulatory approvals) and kerbside materials recovery, on behalf of Constituent Councils (and/or other approved councils) in an environmentally responsible, effective, efficient, economic and competitive manner;
- 9.2 The following functions may be undertaken by the Authority but only where required or directed by one or more Constituent Councils and charged directly to the Council or Councils so requiring or directing:
- 9.2.1 to promote the minimisation of Waste in the areas of the Constituent Councils;
- 9.2.2 to promote the recycling of recyclable materials in the areas of the Constituent Councils;
- 9.2.3 in accordance with the agreed Service Level Agreement, services will be delivered in line with the standard service offering. The Service Level Agreement is an operational document and will be reviewed and updated annually, or more frequently if required.
- 9.2.29.2.4 as set out in the Service Level Agreement, additional work or extensions to existing work may be undertaken under an on-charge arrangement, with direct invoicing to the relevant Constituent Council.
- 9.2.29.2.5 to undertake Waste community education and behaviour change programs on behalf of the Constituent Councils;
- 9.2.49.2.6 on behalf of the Constituent Councils or on its own behalf, to liaise with other councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters relating to Waste management in the common interest of the Constituent Councils;
- 9.2.59.2.7 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee concerned with waste management that allows two or more of the Constituent Councils to nominate a representative;
- 9.2.69.2.8 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Authority;
- 9.2.79.2.9 to keep Constituent Councils abreast of any emerging opportunities/trends/issues in waste management;
- 9.2.89.2.10 to undertake activities which result in a beneficial use of Waste on behalf of the Constituent Councils;
- 9.2.99.2.11 to conduct all activities in a manner which complies with all regulatory requirements and minimises risks to the Constituent Councils;
- 9.2.109.2.12 on behalf of the Constituent Councils or on its own behalf, to liaise with relevant State Government agencies such as Green Industries SA, Environment Protection Authority (or equivalent successor organisations), taking into account its approved Business Plan;
- 9.2.119.2.13 on behalf of the Constituent Councils, to perform and/or monitor the effectiveness and application of funding arrangements agreed by the Constituent Councils for waste management;
- 9.2.129.2.14 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities to manage waste particularly in the area of the Constituent Councils and the implications of that management beyond the area of the Constituent Councils.

Commented [CoP2]: Needs to be reviewed to align with intent of SLA

Commented [VD3]: Included to reflect new SLA's as requested by CEOs

10. POWERS

The Authority may do anything necessary, expedient or incidental to performing or discharging its functions including, without limitation:

- 10.1 become a member of and/or co-operate with any organisation with complementary functions;
- 10.2 receive gifts of money or property from any person;

- 10.3 make payable by a new Constituent Council any joining fee;
- 10.4 carry out its Annual Plan and Budget;
- 10.410.5 carry out its Business Plan and Non-core Plans;
- 10.510.6 make payable by Constituent Councils contributions to the Authority in proportion to their Core Shares;
- 10.610.7 employ and dismiss a Chief Executive Officer;
- 10.710.8 contract with any person;
- 10.810.9 acquire or dispose of any real or personal property in accordance with the Business Plan or otherwise with a Unanimous Decision of the Constituent Councils;
- 10.910.10 operate an account or accounts with a bank or with the Local Government Finance Authority, or both;
- 10.1010.11 borrow or raise money within the Borrowings Limit;
- 10.1110.12 lend money in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Council;
- 10.1210.13 insure against any risk;
- 10.1310.14 enter into a partnership or joint venture with any person in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Councils;
- 10.1410.15 pay any cost or expense of the establishment, operation, administration or winding up of the Authority;
- 10.1510.16 compromise, compound, abandon or settle a debt or claim owed to the Authority;
- 10.1610.17 waive a legal or equitable or statutory right;
- 10.1710.18 refer a dispute between the Authority and any third party (other than a Constituent Council) to arbitration;
- 10.1810.19 allocate receipts and expenditure between Core Activity and Non-core Activities and between each Non-core Activity;
- 10.1910.20 where the same services/activities are not being provided equally to all Constituent Councils, to charge the differential costs of those services/activities directly to the benefiting Councils;
- 10.2010.21 charge Constituent Councils the full costs incurred in the delivery of the services to them, such costs being calculated on a user pays basis (including depreciation and other overheads for use of shared assets, and all other common expenses);
- 10.2110.22 charge non-Constituent Councils a price, based on an estimate of costs incurred in providing the service plus a margin for profit and risk;
- 10.2210.23 make any election for the purpose of any tax;
- 10.2310.24 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person;
- 10.2410.25 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Authority;
- 10.2510.26 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds;
- 10.2610.27 such other powers as the Act or this Charter may confer upon the Authority;
- 10.2710.28 all things incidental to the exercise of any other power of the Authority.

11. POWER OF DELEGATION

As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Authority. The Authority may not delegate the following powers or functions:

- 11.1 the power to impose charges;
- 11.2 the power to enter into transactions in excess of \$50 000 unless authorised in an Annual Plan;
- 11.3 the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Plan;
- 11.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a Budget approved by the Authority or where required by this Charter approved by the Constituent Councils;
- 11.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management;
- 11.6 the power to adopt a Budget;
- 11.7 the power to adopt an Annual Plan;
- 11.8 the power to adopt a Business Plan (or any component thereof);
- 11.9 the power to adopt or revise financial estimates and reports; and
- 11.10 the power to make any application or recommendation to the Minister.

12. GUIDING PRINCIPLES

The Authority must in the performance of its functions and in all of its plans, policies and activities give due weight to economic, social and environmental considerations.

PART 4—CONSTITUENT COUNCILS

13. CONSTITUENT COUNCILS MAY ACT INDEPENDENTLY

A Constituent Council may perform for itself the same functions and powers as the Authority could on behalf of that Constituent Council.

14. INCOMING CONSTITUENT COUNCILS

- 14.1 Any council may become a Constituent Council (an Incoming Constituent Council) if:
 - 14.1.1 it makes written application (in a form approved by the Board) to become a Constituent Council and agrees to be bound by this Charter (noting that Shares will change);
 - 14.1.2 its application is supported by a thorough, realistic, independent, and diligent Business Case analysis;
 - 14.1.3 it pays any joining fee or other payment as may be required by the Board;
 - 14.1.4 the Constituent Councils approve the application and revised Shares by Unanimous Decision; and
 - 14.1.5 the Minister approves.

14.2 An Incoming Constituent Council:

- 14.2.1 is jointly and severally liable with the other Constituent Councils for the debts and liabilities of the Authority incurred before or after the date it becomes a Constituent Council, or as otherwise agreed;
- 14.2.2 is bound by a decision made or step taken by the Board in the affairs of the Authority before it became a Constituent Council to the extent such decision or step was recorded in minutes of the Board's meetings or otherwise notified to the Incoming Constituent Council before it made application to become a Constituent Council; and
- 14.2.3 upon becoming a Constituent Council has the Share agreed between the Incoming Constituent Council and the Constituent Councils.

15. **OUTGOING CONSTITUENT COUNCILS**

- 15.1 A Constituent Council may resign if and only if:
 - 15.1.1 the Constituent Council gives at least 24 months' written notice of resignation to each Constituent Council, which notice is effective on the next 30 June on or after expiry of that period;
 - 15.1.2 the Board by majority vote approves; and
 - 15.1.3 the Minister approves.
- 15.2 A former Constituent Council remains liable to contribute to the debts and liabilities of the Authority incurred while it was a Constituent Council including by contributing to the depreciated value of any asset acquired during that time, and for a share of any future losses on contracts entered into whilst a Constituent Council.
- 15.3 A former Constituent Council:
 - 15.3.1 is not entitled to any refund of contributions made;
 - 15.3.2 relinquishes any beneficial interest in the assets of the Authority; and
 - 15.3.3 remains bound by any separate contract in force between the Authority and the former Constituent Council.
- 15.4 This Clause is to be read conjunctively with Clause 57 of this Charter.

16. **NO TRANSFER OF MEMBERSHIP**

Membership of the Authority is personal to the Constituent Council and is not transferable.

17. **CONSTITUENT COUNCILS MAY DIRECT THE AUTHORITY**

- 17.1 The Authority is subject to the joint direction and control of the Constituent Councils.
- 17.2 To be effective, a determination or direction or other decision of the Constituent Councils must be a Unanimous Decision and evidenced by either:
 - 17.2.1 a minute signed by the Chair of a meeting of authorised delegates of the Constituent Councils that at such meeting a decision was duly made by each delegate on behalf of their Constituent Council; or
 - 17.2.2 a resolution in the same terms in favour of that decision passed individually by each of the Constituent Councils.

18. **CONSTITUENT COUNCILS ARE GUARANTORS OF THE AUTHORITY**

- 18.1 As a matter of record, Schedule 2, Clause 31 (1) of the Act is that liabilities incurred or assumed by the Authority are guaranteed by the Constituent Councils.
- 18.2 As between the Constituent Councils, they share in the liabilities of the Authority in proportion to their respective Share.

19. **SPECIAL DECISIONS FOR THE AUTHORITY**

Neither the Authority nor any person on its behalf may give effect to a Special Decision unless the Constituent Councils vote in favour of a resolution for the Special Decision by Absolute Majority.

For these purposes, a Special Decision means any of the following:

- (a) adopt or vary a Business Plan;
- (b) adopt or vary an Annual Plan;
- (c) delegate the authority of the Board to any person other than the Chief Executive Officer;
- (d) to any extent not provided for in a Business Plan or Annual Plan and Budget:
 - (i) call on Constituent Councils to contribute funds;
 - (ii) grant or vary a guarantee/indemnity of the obligations of another person;
 - (iii) apply for government funding;
 - (iv) obtain credit except in the ordinary course of the activities of the Authority;
 - (v) acquire (by purchase or finance lease) a capital asset;
 - (vi) dispose of a capital asset except at the end of its effective life;
 - (vii) take a lease or tenancy of any premises;
 - (viii) employ any employees;

The Authority must promptly give effect to Special Decision made in conformity with this clause.

PART 5—DIRECTORS

20. **QUALIFICATION OF DIRECTORS**

A Director must be a natural person.

21. **APPOINTMENT OF DIRECTORS**

21.1 Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows:

- 21.1.1 one person appointed by each Constituent Council having regard for:
 - a) the skills, knowledge and experience required to support the Authority's strategic needs;
 - b) and any identified gaps in capability; and
 - c) following consultation with the chair,

which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term; and

Commented [VD4]: Administration request removal of this clause as it is ambiguous.

Commented [CoP5]: Support the capacity for the Chairperson to influence Council's Director appointments to obtain a varied mix of staff & elected members, skills and expertise. However we need to think how this will work in practice when the LG elections occur and all Council's present the Board nominees over the first months of the new Council term. Possibly Chair consultation with Council CEO's before LG Elections conclude. The Board relies of the subject matter expertise of Executive Level staff at Board level, so that mix is important to maintain.

Commented [VD6]: Suggested inclusion. Alternatively the formation of a selection panel for the appointment of new directors with the Chair and relevant Mayor and CEO may be appropriate.

~~21.1.1~~ ~~21.1.2~~ ~~(one)~~ independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment for a further two three-year terms, being nine consecutive years in total) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:

- (a) corporate financial management and/or
- (b) general management and/or
- (c) waste management and/or
- (d) transport fleet management and/or
- (e) public sector governance and/or
- (f) marketing and/or
- (g) economics and/or
- (h) environmental management.

21.2 Each Constituent Council must give to the Authority a written notice of appointment of the Director appointed under Clause 21.1.1 and written confirmation of their agreement with the proposed appointment of the Director under Clause 21.1.2.

21.3 Each Director must give to the Authority a signed written consent to act as a Director, signed by him/herself.

21.4 Each Constituent Council must appoint a person to be a Deputy Director for such term as determined by that Constituent Council who may act in place of that Constituent Council's Director, and will have the same powers as a Director pursuant to the Charter, if the Director is unable for any reason to be present at a meeting of the Board; and

21.4.1 If at any time a Deputy Director is removed from their office pursuant to Clause 22A, the Constituent Council must appoint another person to be a Deputy Director.

22. REMOVAL OF DIRECTORS

22.1 Neither the Authority nor the Board may remove a Director.

22.2 A Constituent Council which appointed a person as a Director may remove that person from office by giving to the Authority a written notice of removal of the Director, signed by the Chief Executive Officer of the Constituent Council.

22.3 The Director appointed pursuant to Clause 21.1.2 may be removed by a decision being a resolution in the same or similar terms passed by an Absolute Majority of the Constituent Councils.

22.4 The Board may recommend to Constituent Councils, that the appointment of a Director be terminated in the event of:

- 22.4.1 behaviour of the Director which in the opinion of the Board amounts to impropriety;
- 22.4.2 serious neglect of duty in attending to the responsibilities of Director;
- 22.4.3 breach of fiduciary duty to the Board;
- 22.4.4 breach of the duty of confidentiality to the Board;
- 22.4.5 breach of the conflict of interest rules of the Board; or
- 22.4.6 any other behaviour which may discredit the Board.

22.5 The office of a Director becomes vacant if the Director:

- 22.5.1 dies;
- 22.5.2 is not reappointed;
- 22.5.3 resigns by written notice addressed to the Constituent Councils and served on any of them;
- 22.5.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
- 22.5.5 was when appointed an ~~elected-council~~ member or employee of the Constituent Council who appointed them and ceases to be an ~~elected-council~~ member or employee of that Constituent Council; or
- 22.5.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.

22A. REMOVAL OF DEPUTY DIRECTORS

22A.1 Neither the Authority nor the Board may remove a Deputy Director.

22A.2 A Constituent Council which appointed a person as a Deputy Director may remove that person from their office by giving the Board a written notice of removal of the Deputy Director, signed by the Chief Executive Officer of the Constituent Council.

22A.3 The Board may recommend to Constituent Councils that the appointment of a Deputy Director may be terminated in the event of:

- 22A.3.1 behaviour of the Deputy Director which in the opinion of the Board amounts to impropriety;
- 22A.3.2 serious neglect of duty in attending to the responsibilities of the Deputy Director;
- 22A.3.3 breach of fiduciary duty to the Board;
- 22A.3.4 breach of duty of confidentiality to the Board;
- 22A.3.5 breach of the conflict of interest rules of the Board; or
- 22A.3.6 any other behaviour which may discredit the Board.

22A.4 The office of a Deputy Director becomes vacant if the Deputy Director:

- 22A.4.1 dies;
- 22A.4.2 is not reappointed;
- 22A.4.3 resigns by written notice addressed to the Constituent Councils and served on any of them;

Commented [VD7]: No clear indication of the number of three year terms the Chair may serve and whether these terms are cumulative or consecutive.

Commented [CoP8]: - Director Terms – Whilst a 3 year term allows crossover it does result in possible multiple changes in a short space of time if the new board member is re-elected. Support Council considering appoints to the Board on a 4 year term to align with the Council election cycle.

Commented [VD9]: The East Waste Board endorsed this inclusion

Commented [VD10]: Outdated language

Commented [VD11]: Consider including:

- The Director is removed from office by the Constituent Councils by written notice.
- Fails to submit a Return as required by the Charter.

Commented [VD12R11]: Not supported by EW Board

- 22A.4.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
22A.4.5 was when appointed an elected member or employee of the Constituent Council who appointed them and ceases to be an elected member of employee of that Constituent Council; or
22A.4.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.

23. REMUNERATION AND EXPENSES OF DIRECTORS

- 23.1 The Authority will only remunerate the Independent Director/Chair appointed under Clause 21.1.2.
23.2 The Board will determine the level of the remuneration (no matter how it is classified) of the Independent Director/Chair, by having regard to its Director/Chair Remuneration Policy.
23.3 The Authority can pay a Director's travelling and other expenses that they properly incur in connection with the Authority's business and with the prior approval of the Board as recorded in minutes of Board meetings.

24. REGISTER OF INTERESTS

A Director is required to submit returns to the Authority under Chapter 5, Part 4, Division 2-1 of the Act.

25. PROTECTION FROM LIABILITY

As a matter of record, Schedule 2, Clause 38 of the Act protects a Director from certain civil liabilities.

26. SAVING PROVISION

As a matter of record, Schedule 2, Clause 40 of the Act is that no act or proceeding of the Authority is invalid by reason of:

- 26.1 a vacancy or vacancies in the membership of the Board; or
26.2 a defect in the appointment of a Director.

27. BOARD PERFORMANCE

- 27.1 The Board will review and evaluate its own performance and the performance of its committees at least once each year.
27.2 The Board may determine the most appropriate method for assessment, which may include qualitative and quantitative measures such as self-assessment questionnaires, peer reviews, or one-on-one interviews with the Chair.

Commented [VD13]: Proposed inclusion

Commented [VD14R13]: This was supported by the Board

PART 6—OTHER OFFICERS

28. CHAIR

- 28.1 At all times, the Authority must have a Chair, who will be the independent Director appointed under Clause 21.1.2.
28.2 The Chair's functions are:
28.2.1 to preside at all meetings of the Board;
28.2.2 to serve as an *ex officio* member of all committees established by the Board;
28.2.3 to represent the Authority in relations with the media and the public generally; and
28.2.4 to exercise other functions as the Board determines.

29. DEPUTY CHAIR

- 29.1 At all times, the Authority must have a Deputy Chair, who must be a Board Member.
29.2 The Board appoints the Deputy Chair and may at any time remove from office the Deputy Chair and appoint a replacement Deputy Chair.
29.3 The Deputy Chair's functions are:
29.3.1 to assist the Chair; and
29.3.2 to exercise the Chair's functions whenever the Chair is unable to do so.
29.4 A person ceases to be Deputy Chair if they cease to be a Board Member.

30. CHIEF EXECUTIVE OFFICER

- 30.1 At all times so far as practicable, the Authority must have a Chief Executive Officer.
30.2 At any time the Board may give a new title to the position of Chief Executive Officer in which case this Charter is taken to refer to the same position under a new title.
30.3 The Board shall appoint a Chief Executive Officer on a fixed term performance based employment contract, which does not exceed five years in duration.
30.4 The Board may at the end of the contract term, enter into a new contract not exceeding five years in duration with the same person.
30.5 The Board may revoke or vary an appointment of a Chief Executive Officer, subject to any agreement made between the Chief Executive Officer and the Authority.
30.6 In the absence of the Chief Executive Officer for any period exceeding one week, the Chief Executive Officer shall appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
30.7 The Board delegates responsibility for day to day management of the Authority to the Chief Executive Officer, who will ensure that sound business, risk minimisation, financial and human resource management practices are applied in the efficient and effective management of the operations of the Authority.
30.8 The functions of the Chief Executive Officer shall include:
30.8.1 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
30.8.2 providing information to assist the Board to assess the Authority's performance against its Business Plan;
30.8.3 appointing, managing, suspending and dismissing other employees of the Authority;
30.8.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
30.8.5 ~~co-ordinating~~ coordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority;
30.8.6 ensuring that the assets and resources of the Authority are properly managed and maintained;
30.8.7 ensuring that records required under the Act or any other legislation are properly kept and maintained;

- 30.8.8 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board, and achieving financial outcomes in accordance with adopted plans and budgets;
 - 30.8.9 issuing notices calling Board meetings;
 - 30.8.10 attending all Board meetings and keeping correct minutes of the proceedings unless excluded by resolution of the Board;
 - 30.8.11 managing all other employees of the Authority;
 - 30.8.12 receiving and answering correspondence and notices to the Authority;
 - 30.8.13 keeping all documents and records belonging to the Authority;
 - 30.8.14 supervising the handling of money by or for the Authority and the keeping of financial records;
 - 30.8.15 issuing receipts for moneys received and keep a correct account of all receipts and expenditure;
 - 30.8.16 operating the Authority's bank account (including sign cheques and other negotiable instruments and make payments over the Internet within the delegations to the position) together with one other signatory appointed by the Board. Unless the Board determines otherwise, that other person must be the Chair;
 - 30.8.17 having custody and safekeeping of the records of the Authority;
 - 30.8.18 preparing draft Annual and Business Plans for consideration of the Board;
 - 30.8.19 monitoring the financial performance of the Authority against an adopted Annual and Business Plan and promptly reporting to the Board any material discrepancies known or anticipated;
 - 30.8.20 preparing such statements, reports, returns or other written information as the Act or any law requires the Authority to lodge with the government;
 - 30.8.21 preparing draft financial statements; and
 - 30.8.22 such other functions as the Board may vest in the Chief Executive Officer.
- 30.9 The Board may delegate to the Chief Executive Officer any of the powers that the Board can exercise where those powers are not restricted from delegation by the Act or this Charter, noting that:
- 30.9.1 the Chief Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Chief Executive Officer;
 - 30.9.2 where a power or function is delegated to an employee, the employee is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function; and
 - 30.9.3 a written record of delegations and sub-delegations must be kept by the Chief Executive Officer at all times.
- 30.10 The Chief Executive Officer enjoys functions and responsibilities set out at Section 99 (1) (a), (b), (c), (d), (e) and (h) and 103 of the Act as if the Authority were a council and the Chief Executive Officer were a chief executive officer of a council.
- 30.11 The Chief Executive Officer may establish an Operations Assistance Committee consisting of one appropriately qualified senior officer from each Constituent Council.
- 30.12 The Chief Executive Officer will, at least annually, hold a meeting collectively with each of the Mayors and CEO's of the Constituent Councils at a venue to be notified to the Constituent Councils at least 14 days prior to the date of the meeting.

31. AUDITOR

The Authority must have an auditor. Subject to the Act an auditor holds office on the terms and conditions (including as to remuneration) that the Board determines.

PART 7—AUDIT COMMITTEE

32. AUDIT COMMITTEE

As a matter of record, the Authority is required to establish an audit committee and Schedule 2, Clause 30 of the Act governs the constitution and functions of the audit committee.

PART 8—STAFF

33. STAFF

- 33.1 In addition to a Chief Executive Officer, the Authority may employ other staff subject to the Board making appropriate financial provision.
- 33.2 The Board and a Constituent Council may arrange for that Constituent Council to make available its staff in connection with the Authority's affairs for such remuneration (if any) as those parties may agree.

PART 9—BOARD

34. BOARD

The Authority must at all times have a Board comprised of Directors.

- 34.1 The Constituent Councils acknowledge and accept that the Directors will act and take decisions in the best interest of the Authority.
- 34.2 The Constituent Councils understand that each Director nominated by a Constituent Council will bring to discussion a perspective from the Council which nominated that Director but that shall not interfere with the obligations of Directors in respect of Clause 33.1.

Commented [VD15]: Consider delegation of appointment of Committee Members to Board

35. BOARD'S POWERS

- 35.1 As a matter of record, Schedule 2, Clause 22 (1) of the Act is that the Board is responsible for the administration of the affairs of the Authority.
- 35.2 As a matter of record, Schedule 2, Clause 22 (3) of the Act is that anything done by the Board in the administration of the Authority's affairs is binding on the Authority.
- 35.3 The Board may exercise all the powers of the Authority except -any powers -that the Act or this Charter [requires the](#) Constituent Councils to exercise.
- 35.4 As a matter of record, Schedule 2, Clause 36 (1) of the Act authorises the Board to delegate powers or functions conferred under this or another Act.
- 35.4.1 A delegation of powers by the Board:
- (a) may authorise the delegate to sub-delegate all or any of the powers vested in the delegate;
 - (b) is concurrent with the exercise by the Board of those powers;
 - (c) is subject to any specified conditions and limitations; and
 - (d) is revocable at will.

36. BOARD MEETINGS

- 36.1 Subject to Schedule 2, Clause 21 of the Act, to a direction of the Constituent Councils and to the other provisions of this Charter.
- 36.1.1 the Board must determine its own procedures for meetings, which must be fair and contribute to free and open decision making;
- 36.1.2 the Board must set out the adopted meeting procedures in a meeting procedure code of practice which will be available to the public for inspection (without charge) and by way of a copy (on payment of a fee fixed by the Board); and
- 36.1.3 the code of practice may be reviewed by the Board at any time but must be reviewed at least once in every three years.
- 36.2 An ordinary meeting of the Board must be held at least every three calendar months.
- 36.3 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or absent any decision of the Board the Chief Executive Officer of the Authority. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all Board Members.
- 36.4 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 36.5 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and to each Constituent Council not less than three clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.
- 36.6 The Chair or any two Directors may call a special meeting of the Board.
- 36.7 A special meeting of the Board must be held at a reasonable time and if the meeting is to be held in person, at a reasonable place.
- 36.8 Unless all Directors entitled to vote at the meeting agree otherwise, the persons calling a special Board meeting must give to the Chief Executive Officer a notice of meeting that:
- 36.8.1 sets out the place, date and time for the meeting;
 - 36.8.2 states the general nature of the business of the meeting;
 - 36.8.3 is accompanied by relevant information so far as reasonably available (if not already given to the Directors); and
 - 36.8.4 is provided at least one clear business day before the special meeting (or such other period as all the Directors in office may as a matter of general policy determine otherwise).
- 36.9 A notice of special meeting provided to Directors by the Chief Executive Officer will at the same time be placed ~~on public~~ [on the website](#) ~~display at the principal office~~ of the Authority and of each Constituent Council.
- 36.10 As a matter of record, Schedule 2, Clause 21 (5) of the Act permits a virtual Board meeting.
- 36.10.1 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Directors provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Directors taking part in the meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Directors present. At the commencement of the meeting, each Director must announce ~~his/her~~ [their](#) presence to all other Directors taking part in the meeting. A Director must not leave a telecommunications meeting by disconnecting ~~his/her~~ [their](#) telephone, audio visual or other communication equipment, unless that Director has previously notified the chair of the meeting.
- 36.11 As a matter of record, Schedule 2, Clause 21 (6) of the Act permits a decision of the Board to be made in writing and not at a meeting.
- 36.11.1 A proposed resolution in writing and given to all Directors in accordance with proceedings determined by the Board will be a valid decision of the Board where a simple majority of Directors vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at the meeting of the Board duly convened and held.
- 36.12 Chapter 6, Parts 3 and 4 (public access to meetings and minutes) of the Act (to the extent that Part 4 is not inconsistent with this Charter) apply to Board meetings as if the Authority were a council and the Directors were members of a council.

Commented [VD16]: Outdated public notice provision

- 36.13 Unless the Directors determine otherwise, the quorum for a Board meeting is a number ascertained by dividing the total number of members of the committee by two, ignoring any fraction resulting from the division and adding one.
- 36.14 At any time, the Board may agree to invite a person to attend a Board meeting as an observer or adviser.
- 36.15 As a matter of record, Schedule 2, Clauses 21 (4) (one vote per Director, no casting vote) and 21 (3) (majority vote) of the Act govern voting at a Board meeting.
- 36.16 As a matter of record, Schedule 2, Clause 21 (11) of the Act obliges the Board to keep minutes of its proceedings. All minutes must be prepared and distributed to both Directors and also to Constituent Councils within seven business days of the meeting to which they relate.

PART 10—COMPETITIVE NEUTRALITY

37. COMPETITIVE NEUTRALITY

- 37.1 For the purposes of Schedule 2, Clause 32 of the Act, the Authority is not involved in a significant business activity in undertaking its Core Activity.
- 37.2 In respect of any Non-core Activity that is a significant business activity, the Authority must at all times have current a National Competition Policy Statement in relation to competitive neutrality which it will adhere to in undertaking that Non-core Activity.

PART 11—GOVERNANCE

38. DIRECTOR'S CONFLICT OF INTEREST

As a matter of record, by Section 75 (2) of the Act, the provisions of Chapter 5, Part 4, Division 3-1 apply to Directors.

39. DIRECTOR'S DUTIES OF CARE

As a matter of record, Schedule 2, Clause 23 of the Act (care and diligence) and Schedule 2, Clause 34 of the Act (honesty, use of information, use of position) set out certain statutory duties that apply to a Director.

40. BOARD POLICIES AND CODES

- 40.1 The Authority must, in consultation with the Constituent Councils, prepare and adopt and thereafter keep under review policies on:
- 40.1.1 procedures for meetings of the Board (in accordance with Clause 35.1 of this Charter);
 - 40.1.2 contracts and tenders, as would conform to Section 49 of the Act;
 - 40.1.3 public consultation, as would conform to Section 50 of the Act.
 - 40.1.4 governance including as concerns:
 - (a) the operation of any account with a bank or Local Government Finance Authority;
 - (b) human resource management;
 - (c) improper assistance to a prospective contract party;
 - (d) improper offering of inducements to Directors or to staff of the Authority;
 - (e) improper lobbying of Directors or staff of the Authority;
 - 40.1.5 occupational health and safety;
 - 40.1.6 protection of the environment.
- 40.2 To the extent it is able, the Board must ensure that such policies as above are complied with in the affairs of the Authority.
- 40.3 The Board must prepare and adopt within six months after the Gazettal of this Charter, a code of conduct to be observed by Directors.

41. BOARD DUTIES TO CONSTITUENT COUNCILS

As a matter of record, Schedule 2, Clause 22 (2) of the Act is that the Board must ensure as far as practicable:

- 41.1 that the Authority observes all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils;
- 41.2 that all information furnished to a Constituent Council is accurate; and
- 41.3 that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.

42. BOARD DUTIES TO THE AUTHORITY

The Board must ensure:

- 42.1 that the Authority acts in accordance with applicable laws, mandatory codes of practice, this Charter, Business Plan, Annual Plan and achieves the financial outcomes projected in its Budget;
- 42.2 that the Authority acts ethically and with integrity;
- 42.3 that the activities of the Authority are conducted efficiently and effectively and that any assets of the Authority are properly managed and maintained; and
- 42.4 that, subject to any overriding duty of confidence, the affairs of the Authority are undertaken in an open and transparent manner.

PART 12—BUSINESS PLANS

43. BUSINESS PLANS

As a matter of record, Schedule 2, Clause 24 of the Act sets out requirements for Business Plans. The following provisions of this Part are in addition to and not in derogation of the requirements of the Act.

Commented [VD17]: Consider delegation of setting of fees for Register

44. ABOUT A BUSINESS PLAN

- 44.1 The Board must prepare at least a ten-year Business Plan for the region, in a collaborative manner with Constituent Councils which cannot be in conflict with this Charter.
- 44.2 The Board must also prepare a ten-year Long Term Financial Plan (which, must include principles detailing the actual distribution of overheads between the Constituent Councils and any other matter required by the Constituent Councils or determined by the Board to be included therein) and an Asset Management Plan.
- 44.3 The Long Term Financial and Asset Management Plans form part of the Business Plan.
- 44.4 In preparing and when reviewing a Business Plan, the Board must at a minimum have regard to the following:
 - 44.4.1 any State Government Agency Waste plan then in force in relation to the area of a Constituent Council and any proposed changes to such plan;
 - 44.4.2 any initiatives proposed by the Commonwealth of Australia or the State Government as may impact upon or affect proper waste management in the area of an individual Constituent Council or Constituent Councils collectively;
 - 44.4.3 any plan or policy of a Constituent Council for waste management then in force, and any proposed changes to such plan or policy;
 - 44.4.4 the strategic management plans of each Constituent Council then in force; and
 - 44.4.5 the annual business plan and budget of each Constituent Council then in force.

PART 13—NON-CORE ACTIVITY

45. ABOUT NON-CORE ACTIVITY

- 45.1 Where before the date this Charter becomes effective the Authority has committed to a Non-core Activity:
 - 45.1.1 a Non-core Plan for that Non-core Activity must be prepared by the Chief Executive Officer and approved by Board resolution no later than 30 June 2013, so far as that Non-core Activity at the time then remains to be performed; and
 - 45.1.2 all the Constituent Councils are taken to be participants in that Non-core Activity with Non-core Shares equal to their Core Shares.
- 45.2 After the date this Charter becomes effective, the Authority must not tender for or commit to a Non-core Activity except in compliance with this Charter.

46. NON-CORE ACTIVITY PROPOSALS

The Chief Executive Officer, the Board or any Constituent Council may propose the Authority adopt a Non-core Plan.

47. NON-CORE ACTIVITY CONSULTATION

A proposer of a draft Non-core Plan must consult all the Constituent Councils in developing the draft.

48. NON-CORE PLAN REQUIREMENTS

A draft Non-core Plan must set out in reasonable detail in relation to the Non-core Activity it concerns:

- 48.1 the kind of service to which it relates;
- 48.2 its priority in relation to other existing or proposed Core Activity and Non-core Activity;
- 48.3 its expected duration;
- 48.4 a timetable for its full implementation;
- 48.5 its anticipated effect on the resources of the Authority (including financial, technological, physical and human resources) and in particular and without limiting the generality of the foregoing:
 - 48.5.1 personnel requirements over time, and how those requirements are to be satisfied;
 - 48.5.2 plant and equipment requirements over time, and how those requirements are to be satisfied;
 - 48.5.3 fuel and other consumables requirements over time, and how those requirements are to be satisfied;
 - 48.5.4 access to weigh-stations, recycling premises, and waste dump premises over time, and how those requirements are to be satisfied;
- 48.6 its anticipated expenditure, revenue and cash-flow outcomes over time (on a calendar monthly basis);
- 48.7 the sources of funds and when those funds need be sourced;
- 48.8 whether and if so what resources of a Constituent Council are required to be available to the Non-core Activity;
- 48.9 whether the Local Government Mutual Liability Scheme has forecast any peculiar liability issues for the Non-core Activity, and the advice given in relation to those liability issues;
- 48.10 whether the lawyers for the Authority have forecast any peculiar legal issues for the Non-core Activity, and the advice given in relation to those legal issues;
- 48.11 whether the auditors of the Authority have forecast any peculiar accounting or audit issues for the Non-core Activity;
- 48.12 governance issues, including whether and what delegations are required;
- 48.13 whether the Non-core Activity is a significant business activity and if so, how adherence to the National Competition Policy will be assured; and
- 48.14 how the Non-core Plan may change over time.

49. CONDITIONS OF ADOPTION OF A NON-CORE PLAN

A Non-core Plan is not effective unless and until all of the following are satisfied:

- 49.1 the Board resolves to adopt the Non-core Plan;

Commented [CoP18]: •

•Clause 45 – Non Core activities – There appears no operative role for this clause beyond the draft related to a 2013 update. Suggest this be considered for removal

- 49.2 the Constituent Councils have each resolved to:
- 49.2.1 approve their Council's participation in the Non-core Activity; and
 - 49.2.2 make any necessary consequential changes to their Council's strategic management plans, annual business plan and budget.

50. NON-CORE PLANS AS PART OF THE BUSINESS PLAN

A Non-core Plan adopted by the Authority forms part of the Business Plan.

51. REVIEW OF A NON-CORE PLAN

As part of a Business Plan, a Non-core Plan is subject to review by the Authority at the same times as the remainder of the Business Plan.

PART 14—ANNUAL PLAN AND BUDGET

52. ANNUAL PLAN

The Authority must, for each financial year, have an Annual Plan which supports and informs its Budget. The Annual Plan must:

- 52.1 include an outline of the Authority's objectives for the financial year, the activities that the Authority intends to undertake to achieve those objectives and the measures that the Authority intends to use to assess its performance against its objectives over the financial year;
- 52.2 assess the financial requirements of the Authority for the financial year and, taking those requirements into account, set out a summary of the Authority's proposed operating expenditure, capital expenditure and sources of revenue;
- 52.3 take into account the objectives set out in the Business Plan and, in particular, the Long-Term Financial Plan and issues relevant to the management of assets and resources by the Authority;
- 52.4 set out proposals for the recovery of overheads over the financial year from the Constituent Councils; and
- 52.5 address or include any other matter prescribed by the Constituent Councils or determined to be relevant by the Board.

53. ABOUT AN ANNUAL PLAN

- 53.1 An adopted Annual Plan binds the Authority and is the basis upon which the Budget is prepared.
- 53.2 Before the Authority adopts its Annual Plan it must prepare a draft Annual Plan and obtain the consent of an Absolute Majority of the Constituent Councils to that Plan.
- 53.3 The Authority must prepare the draft Annual Plan and provide it to the Constituent Councils by a date determined by the Councils for the purpose of obtaining the consent of the Councils on or before 31 May in each financial year.

54. BUDGETS

As a matter of record, Schedule 2, Clause 25 of the Act sets out requirements for Budgets, and the Authority must advise Constituent Councils of the proposed fees for the next financial year by 1 April in the preceding financial year.

55. ABOUT A BUDGET

- 55.1 An adopted Budget (prepared in a manner consistent with the Annual Plan) binds the Authority and is authority for the Authority to perform work and incur debts and meet obligations according to its own terms -without reference back -to the Board or to a Constituent Council (except to any extent the Budget or the Annual Plan otherwise requires).
- 55.2 Each Budget of the Authority must be adopted:
 - 55.2.1 after the Authority has adopted its Annual Plan;
 - 55.2.2 must be consistent with that Plan; and
 - 55.2.3 before 30 June in each financial year.

56. EXPENDITURE OUTSIDE A BUDGET

- 56.1 As a matter of record, Schedule 2, Clause 25(4) is that the Authority may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget without consulting with and seeking approval from the Constituent Councils.
- 56.2 As a matter of record, Schedule 2, Clause 25 (5) is that the Authority may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.

PART 15—SHARES

57. ABOUT SHARES

A Share means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority (after deducting Non-core Assets and Non-core Liabilities) as between all the Constituent Councils in accordance with this Part 15.

To avoid doubt, a third party dealing with the Authority is entitled to have recourse to all the Constituent Councils jointly and severally, regardless of the Shares of the Constituent Councils.

58. VARIATION OF SHARES

- 58.1 At the date of operation of this Charter the Constituent Councils' shares in the Authority are equal.
- 58.2 At any time, all the Constituent Councils may in writing agree to vary the Share of one or more of them.
- 58.3 The Shares must be reviewed and, as necessary, varied each time:
 - 58.3.1 a council is admitted to the Authority as a Constituent Council;
 - 58.3.2 a Constituent Council amalgamates with another council; or
 - 58.3.3 a Constituent Council resigns from the Authority.

58.4 It is agreed between the Constituent Councils that the Constituent Councils are liable to contribute to any debts and liabilities of the Authority incurred prior to the date of operation of this Charter (including in relation to the depreciated value of any asset acquired and for any losses under contract entered into before that date) in the Shares set out at Clause 57.4 above.

PART 16—FUNDING

59. FUNDING

The Authority may decline to take any action where funds then available to the Authority are in the Board's opinion insufficient to defray the costs of such action and any debt or liability that may result.

60. CONSTITUENT COUNCIL CONTRIBUTIONS TO WORKING CAPITAL

60.1 This Clause applies only to a Core Activity.

60.2 A Constituent Council must contribute to the Authority such amounts at such times as the Budget requires (after deducting from the Budget any amounts identified as Non-core Assets and Non-Core Liabilities).

60.3 If the Budget does not specify a fixed dollar amount to be payable by the Contributor, the Constituent Council may require as a condition of payment that the Authority first provide an itemised estimate of the Core Activity expenditure reasonably expected to be incurred and which that contribution is to defray (after adjustments for payments previously made by that Constituent Council).

60.4 The Authority must use contributions received from a Constituent Council only for the purposes of a Core Activity as set out in the Budget.

60.5 If a Constituent Council (a Defaulter) fails to pay its full contribution so required when due:

60.5.1 the Defaulter must pay to the Authority interest on that amount at the official Reserve Bank Cash Rate Target plus 10% per annum from the due date to the date of actual payment;

60.5.2 the Authority may recover that amount and that interest from the Defaulter as a debt;

60.5.3 the Authority may, without prejudicing its other rights, set off any moneys otherwise payable by the Authority to the Defaulter against that amount and interest; and

60.5.4 if the default continues for at least 14 days:

(a) the Authority must notify all Constituent Councils (including the Defaulter) of the fact and details of the default; and

(b) Constituent Councils other than the Defaulter must together lend to the Authority an amount (equal to the amount not paid by the Defaulter) in such proportions as they may agree or failing agreement between themselves, in the proportion that their Share bears to the total Shares held by those Constituent Councils making such loan, for repayment when and to the extent the Defaulter makes good the contribution and accrued interest.

61. DEBT FUNDING

The Authority may borrow or raise money from the Local Government Finance Authority or a bank of such amount(s) as provided for in a Business Plan and Budget approved by the Constituent Councils.

62. DISTRIBUTIONS TO CONSTITUENT COUNCILS

The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Common Fleet Collection Percentages to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.

63. CONTRIBUTIONS ON INSOLVENCY

On the insolvency of the Authority, and subject to Clause 57 of this Charter, each Constituent Council must contribute in proportion to their Share to the debts and liabilities of the Authority and otherwise as incurred while the Constituent Council is a Constituent Council.

PART 17—ASSETS

64. ACQUISITION OF ASSETS

The Authority may in accordance with this Charter acquire such assets (real or personal) as its Business Plan provides or otherwise pursuant to a Unanimous Decision of the Constituent Councils.

65. DISPOSAL OF ASSETS

The Authority may dispose of (personal) assets as its Business Plan provides, or at the end of the asset's economic life.

66. INVESTMENTS

In accordance with its Business Plan and Budget the Authority may invest in the items below:

66.1 in waste management infrastructure and ancillary land;

66.2 in plant and equipment to store, transfer and/or treat waste;

66.3 in plant and equipment to transport waste from properties to an appropriate place of storage and/or disposal; and

66.4 cash on interest-bearing deposit with any bank.

67. INTERESTS IN COMPANIES

As a matter of record, Schedule 2, Clause 39 of the Act prohibits the Authority from having an interest in most companies.

PART 18—INSURANCE

68. INSURANCE

68.1 The Authority must register with the Local Government Association Mutual Liability Scheme and comply with the rules of that Scheme.

68.2 ~~The parties agree that the Employer will pay Employer superannuation contributions in respect of each Employee into Hostplus, or the Employee may nominate their own Superannuation Fund. Where an Employee does not nominate an alternate fund, the default shall be Hostplus Super. No Employee will be disadvantaged with the amount contributed to superannuation by the Employer regardless of superannuation fund.~~

68.3 The amount of the Employer superannuation contribution will be contributions which the Employer must pay to a superannuation fund in respect of the Employee in order to avoid becoming liable for a shortfall in respect of the Employee

Commented [CoP19]: •Superannuation for Employees and Independent Chair should standalone, not under Insurance.

•Clause 68 – Civil Liability for Employees of East Waste should stand alone, not under Insurance.

Commented [VD20]: Proposed clause due to the discontinuation of the Local Government Superannuation Scheme

Commented [VD21R20]: Endorsed by Board

under the Superannuation Guarantee (Administration) Act 1992 (Cth); and any additional superannuation contributions which the Employer agrees to pay in respect of the Employee.

68.4 East Waste will indemnify its employees against any civil liability incurred by the employee for an honest act or omission in the exercise, performance or discharge or purported exercise performance or discharge of powers, functions and duties of the employee under the Local Government Act 1999 or any other Act.

Commented [VD22]: Proposed inclusion - currently no civil liability protections for staff.

Commented [VD23R22]: Endorsed by Board

PART 19—FINANCIAL PRACTICES

69. ACCOUNTING RECORDS

The Authority must comply with Section 124 of the Act as if the Authority were a council.

70. ABOUT ACCOUNTING FOR SERVICES

The Authority must keep accounting records in relation to services in such manner as will enable the calculation of Constituent Councils' contributions to, expenditure on and revenue from that service separately.

71. OTHER FINANCIAL PRACTICES

Except as may be stated elsewhere in this Charter or required by law, there are no special accounting, internal auditing or financial systems or practices to be established or observed by the Authority.

PART 20—ACCESS TO INFORMATION

72. ACCESS TO RECORDS

A Constituent Council and a Director each has a right to inspect and take copies of the books and records of the Authority for any proper purpose.

73. PROVISION OF INFORMATION

As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Authority.

74. BOARD REPORTS

The Authority must provide Board reports to the Directors and Constituent Councils in accordance with this Charter and otherwise at such times, in such format and with such content as the Board may determine.

75. ANNUAL REPORTS

- 75.1 As a matter of record, Schedule 2, Clause 28 of the Act requires the Authority to furnish an annual report to the Constituent Councils.
- 75.2 The annual report will be in such format and include such content as the Constituent Councils may prescribe by Absolute Majority.
- 75.3 The annual report must be delivered to the Councils on or before 30 September in each year subsequent to the financial year to which the report relates.

PART 21—DISPUTE RESOLUTION

76. DISPUTE RESOLUTION

76.1 About this clause:

- 76.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.
- 76.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.
- 76.1.3 This Clause does not prejudice the right of a party:
 - (a) to require the continuing observance and performance of this Charter by all parties; or
 - (b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.
- 76.1.4 Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

76.2 Step 1: Notice of dispute: A party to the dispute must promptly notify each other party to the dispute:

- 76.2.1 the nature of the dispute, giving reasonable details;
- 76.2.2 what action (if any) the party giving notice thinks will resolve the dispute; and but a failure to give such notice does not entitle any other party to damages.

76.3 Step 2: Meeting of the parties: A party to the dispute who complies with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

76.4 Step 3: Mediation: Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:

- 76.4.1 the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation);

- 76.4.2 the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing;
- 76.4.3 the mediation must take place in a location in Adelaide agreed by the parties;
- 76.4.4 a party in dispute must co-operate in arranging and expediting mediation;
- 76.4.5 a party in dispute must send to the mediation a senior manager with authority to resolve the dispute;
- 76.4.6 the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit;
- 76.4.7 a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute;
- 76.4.8 unless otherwise agreed in writing:
- (a) everything that occurs before the mediator is in confidence and in closed session;
 - (b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party;
 - (c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party;
 - (d) the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation;
- 76.4.9 a party in dispute need not spend more than one day in mediation for a matter under dispute;
- 76.4.10 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.
- 76.5 **Step 4: Arbitration:** Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:
- 76.5.1 there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators Australia (South Australian Chapter);
- 76.5.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties;
- 76.5.3 the arbitration must take place in an agreed location in Adelaide;
- 76.5.4 a party must co-operate in arranging and expediting arbitration;
- 76.5.5 a party must send to the arbitration a senior manager with authority to resolve the dispute;
- 76.5.6 the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator;
- 76.5.7 the arbitrator must:
- (a) consider the evidence and submissions;
 - (b) decide the dispute; and
 - (c) give written reasons to each party;
- 76.5.8 subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of The Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 1986/2011 (S.A.) and which Rules are taken to be incorporated by reference into this clause or subject to this clause, the arbitrator must fix the rules of arbitration;
- 76.5.9 the costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

PART 22—WINDING UP

77. **WINDING UP**

The Authority may be wound up in circumstances as Schedule 2, Clause 33 (1) of the Act allows or requires.

78. **DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP**

In the event the Authority commences to wind up and except to any extent the Board unanimously determines otherwise, the Authority must divide among the Constituent Councils in kind all of the Authority's assets and liabilities in proportion to their Shares or as otherwise agreed by Unanimous Decision of the Constituent Councils.

PART 23—COMMITTEES

79. **COMMITTEES**

- 79.1 The Board may establish a committee of Directors for the purpose of enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference given by the Board to the committee.
- 79.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 79.3 The Board may establish advisory committees consisting of or including persons who are not Directors for enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.
- 79.4 A member of an advisory committee established under this Clause holds office at the pleasure of the Board.

PART 24—OTHER MATTERS

80. **EXECUTION OF DOCUMENTS**

The Chief Executive Officer must maintain a register of use of the Common Seal. As a matter of record, Schedule 2, Clause 37 of the Act governs the execution of documents by the Authority.

81. **PRINCIPAL OFFICE**

The Authority's principal office is at 1 Temple Court, Ottoway, S.A. 5013 or as the Board may determine otherwise.

Commented [VD24]: Current version of Act is 2011

Endorsed 28 June 2022

82. SERVICE OF DOCUMENTS

A document to be given by the Authority to a Constituent Council, or by a Constituent Council to the Authority may be given in a manner Section 280 of the Act permits. A written notice given by the Authority to a Constituent Council must be marked, 'Attention: Chief Executive Officer'.

83. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its terms, the Board may consider the circumstances and determine the action to be taken.

The undersigned (being each Council specified in the Charter) agree to the above as the charter of the Authority.

[Leonard Leyland](#) ~~Rob Gregory~~, General Manager East Waste

Commented [VD25]: Removed space



EastWaste

**Eastern Waste
Management Authority
Charter**

Review 2026

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PART 1 - PRELIMINARY

1. DICTIONARY

Term	Definition
Absolute Majority	means a majority of the whole number of the Constituent Councils.
Act	means Local Government Act 1999.
Annual Plan	means an Annual Plan that conforms to Part 14 and last adopted by the Board.
Authority	means Eastern Waste Management Authority ('East Waste').
Board	means the board of management of the Authority.
Borrowings Limit	means at any time the amount authorised in the current Annual Plan and Budget of the Authority.
Budget	means a budget that conforms to Part 14 and last adopted by the Board.
Business Plan	means a business plan that conforms to Part 12 and last adopted by the Board.
Chief Executive Officer	means at any time the chief executive officer of the Authority and includes that person's deputy or a person acting in that position.
Common Fleet Collection Percentage	means the proportion of the Authority's total time required to undertake waste collection activities for a Constituent Council (represented as a percentage) calculated in accordance with Clause 57.
Constituent Council	means at any time a constituent council in relation to the Authority and on the date of publication of this Charter in the Gazette means Adelaide Hills Council, City of Burnside, City of Campbelltown, City of Norwood Payneham and St Peters, City of Mitcham, City of Prospect, City of Unley, Corporation of the Town of Walkerville.
Core Activity	means activities associated with the collection, recycling and/or disposal of waste along with community behaviour change and ancillary services.
Deputy Director	means a deputy for a Director.
Director	means at any time a member of the Board.
Financial Year	means 1 July in each year to 30 June in the subsequent year.
Gazette	means the South Australian Government Gazette.
Non-core Activity	means an activity that is not a Core Activity.

Non-core Assets	means in relation to a Non-core Activity any assets of the Authority acquired for the purpose of that Non-core Activity and includes any revenue derived from that Non-core Activity. Where an asset or revenue is acquired or derived for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
Non-core Liabilities	means in relation to a Non-core Activity any liabilities of the Authority incurred or assumed for the purpose of that Non-core Activity. Where a liability is incurred or assumed for both a Core Activity and a Non-core Activity, a fair allocation between those purposes must be made by the Board.
Non-core Plan	means a plan for a Non-core Activity that conforms to Part 13 and forms part of the Business Plan.
Share	means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority. On the date of Gazettal of this Charter, the shares are held between the Constituent Councils in equal proportions. The Shares may be varied by agreement in writing of all the Constituent Councils, and must be reviewed (and if necessary, varied) where a new Constituent Council is admitted or an existing Constituent Council resigns.
Simple Majority	means a majority of the Directors present at a Board Meeting and entitled to vote, or a majority decision of the Constituent Councils as the case may be.
Surplus Funds	means funds that are surplus to the long-term financial requirements of the Authority, as evidenced by its Business Plan.
Unanimous Decision	means a decision made by all of the Constituent Councils as voting in the same manner.
Waste	means any and all waste as approved by the Environment Protection Act 1993 Licence held by the Authority and includes domestic and commercial kerbside waste, kerbside green and food/organics, kerbside recyclable material, Council waste and Council depot waste

Subject to the above, words and expressions in this Charter have the same meaning as in a provision of the Act that deals with the same matter.

2. INTERPRETATION

In this Charter: The singular includes the plural and vice versa and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is to a section of the Act and includes any section that substantially replaces that section and deals with the same matter; headings are for ease of reference only and do not affect the construction of this Charter.

3. ABOUT THIS CHARTER

3.1 This Charter is the charter of the Authority.

3.2 This Charter binds the Authority and each Constituent Council.

3.3 Despite any other provision in this Charter:

3.3.1 if the Act prohibits a thing being done, the thing may not be done.

3.3.2 if the Act requires a thing to be done, Board approval is given for that thing to be done.

3.3.3 if a provision of this Charter is or becomes inconsistent with the Act, that provision must be read down or failing that severed from this Charter to the extent of the inconsistency.

3.4 This Charter may not be amended except as all the Constituent Councils may agree by each passing a resolution in the same terms. An amendment is not effective unless and until published in the Gazette.

3.5 The Constituent Councils may review this Charter at any time, but must in any event review this Charter at least once in every four years.

PART 2 - AUTHORITY

4. ABOUT THE AUTHORITY

The Authority is an Authority established under the Act.

5. NAME OF THE AUTHORITY

The name of the Authority is Eastern Waste Management Authority trading as 'East Waste'.

6. CORPORATE STATUS

The Authority is a body corporate.

PART 3 - FUNCTIONS AND POWERS

7. PROPERTY

The Authority holds its property and assets on behalf of the Constituent Councils.

8. AREA OF INTEREST

The Authority may only undertake a Non-core Activity outside the areas of the Constituent Councils where that activity has been approved by Unanimous Decision of the Constituent Councils as being necessary or expedient to the performance by the Authority of its functions and is an activity included in a Business Plan of the Authority.

9. PURPOSE AND FUNCTIONS

9.1 The Authority is established by the Constituent Councils for the purpose of the collection and disposal of Waste, primarily within the areas of the Constituent Councils and has the following functions in this regard:

9.1.1 to predominantly operate or obtain services for the collection of Waste on behalf of Constituent Councils and/or other approved Councils.

9.1.2 to provide waste management services whether in or (so far as the Act allows) outside the area of any of the Constituent Councils, including waste collection, recycling of organic and inorganic materials, disposal of waste along with community behaviour change and ancillary services.

9.1.3 to undertake management and collection of Waste (in accordance with regulatory approvals) and kerbside materials recovery, on behalf of Constituent Councils (and/or other approved councils) in an environmentally responsible, effective, efficient, economic and competitive manner.

9.2 The following functions may be undertaken by the Authority but only where required or directed by one or more Constituent Councils and charged directly to the Council or Councils so requiring or directing:

9.2.1 to promote the minimisation of Waste in the areas of the Constituent Councils.

9.2.2 to promote the recycling of recyclable materials in the areas of the Constituent Councils.

9.2.3 in accordance with the agreed Service Level Agreement, services will be delivered in line with the standard service offering. The Service Level Agreement is an operational document and will be reviewed and updated annually, or more frequently if required.

9.2.4 as set out in the Service Level Agreement, additional work or extensions to existing work may be undertaken under an on-charge arrangement,

with direct invoicing to the relevant Constituent Council.

- 9.2.5 to undertake Waste community education and behaviour change programs on behalf of the Constituent Councils.
- 9.2.6 on behalf of the Constituent Councils or on its own behalf, to liaise with other councils, the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for matters relating to Waste management in the common interest of the Constituent Councils.
- 9.2.7 on behalf of the Constituent Councils, provide a representative to any statutory board or statutory committee concerned with waste management that allows two or more of the Constituent Councils to nominate a representative.
- 9.2.8 on behalf of the Constituent Councils or on its own behalf, to make application for grants and other funding from the State of South Australia and the Commonwealth of Australia and their respective instrumentalities for the purposes of the Authority.
- 9.2.9 to keep Constituent Councils abreast of any emerging opportunities/trends/issues in waste management.
- 9.2.10 to undertake activities which result in a beneficial use of Waste on behalf of the Constituent Councils.
- 9.2.11 to conduct all activities in a manner which complies with all regulatory requirements and minimises risks to the Constituent Councils.
- 9.2.12 on behalf of the Constituent Councils or on its own behalf, to liaise with relevant State Government agencies such as Green Industries SA, Environment Protection Authority (or equivalent successor organisations), taking into account its approved Business Plan.
- 9.2.13 on behalf of the Constituent Councils, to perform and/or monitor the effectiveness and application of funding arrangements agreed by the Constituent Councils for waste management.
- 9.2.14 to provide a forum for discussion and consideration of topics relating to the Constituent Councils' responsibilities to manage waste particularly in the area of the Constituent Councils and the implications of that management beyond the area of the Constituent Councils.

10. POWERS

The Authority may do anything necessary, expedient or incidental to performing or discharging its functions including, without limitation:

- 10.1 become a member of and/or co-operate with any organisation with complementary functions.

- 10.2 receive gifts of money or property from any person.
- 10.3 make payable by a new Constituent Council any joining fee.
- 10.4 carry out its Annual Plan and Budget.
- 10.5 carry out its Business Plan and Non-core Plans.
- 10.6 make payable by Constituent Councils contributions to the Authority in proportion to their Core Shares.
- 10.7 employ and dismiss a Chief Executive Officer.
- 10.8 contract with any person.
- 10.9 acquire or dispose of any real or personal property in accordance with the Business Plan or otherwise with a Unanimous Decision of the Constituent Councils.
- 10.10 operate an account or accounts with a bank or with the Local Government Finance Authority, or both.
- 10.11 borrow or raise money within the Borrowings Limit.
- 10.12 lend money in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Council.
- 10.13 insure against any risk.
- 10.14 enter into a partnership or joint venture with any person in accordance with the Business Plan or pursuant to a Unanimous Decision of the Constituent Councils;
- 10.15 pay any cost or expense of the establishment, operation, administration or winding up of the Authority.
- 10.16 compromise, compound, abandon or settle a debt or claim owed to the Authority;
- 10.17 waive a legal or equitable or statutory right.
- 10.18 refer a dispute between the Authority and any third party (other than a Constituent Council) to arbitration.
- 10.19 allocate receipts and expenditure between Core Activity and Non-core Activities and between each Non-core Activity.
- 10.20 where the same services/activities are not being provided equally to all Constituent Councils, to charge the differential costs of those services/activities directly to the benefiting Councils.
- 10.21 charge Constituent Councils the full costs incurred in the delivery of the services to them, such costs being calculated on a user pays basis (including depreciation and other overheads for use of shared assets, and all other common expenses).

- 10.22 charge non-Constituent Councils a price, based on an estimate of costs incurred in providing the service plus a margin for profit and risk.
- 10.23 make any election for the purpose of any tax.
- 10.24 delegate the exercise of any of its functions or other powers (including the receipt and payment of money) to any person.
- 10.25 those powers given to trustees by law, equity or statute and not necessarily inconsistent with this Charter or the functions of the Authority.
- 10.26 pay to the Constituent Councils or accumulate as reserves for up to such period as the law allows any surplus funds.
- 10.27 such other powers as the Act or this Charter may confer upon the Authority.
- 10.28 all things incidental to the exercise of any other power of the Authority.

11 POWER OF DELEGATION

As a matter of record, Schedule 2, Clause 36 of the Act vests a power of delegation in the Authority. The Authority may not delegate the following powers or functions:

- 11.1 the power to impose charges.
- 11.2 the power to enter into transactions in excess of \$50 000 unless authorised in an Annual Plan.
- 11.3 the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Plan.
- 11.4 the power to approve expenditure of money on the works, services or operations of the Authority not set out in a Budget approved by the Authority or where required by this Charter approved by the Constituent Councils.
- 11.5 the power to approve the reimbursement of expenses or payment of allowances to members of the Board of Management.
- 11.6 the power to adopt a Budget.
- 11.7 the power to adopt an Annual Plan.
- 11.8 the power to adopt a Business Plan (or any component thereof).
- 11.9 the power to adopt or revise financial estimates and reports.
- 11.10 the power to make any application or recommendation to the Minister.

12 GUIDING PRINCIPLES

The Authority must in the performance of its functions and in all of its plans, policies and activities give due weight to economic, social and environmental considerations.

PART 4 – CONSTITUENT COUNCILS

13 CONSTITUENT COUNCILS MAY ACT INDEPENDENTLY

A Constituent Council may perform for itself the same functions and powers as the Authority could on behalf of that Constituent Council.

14 INCOMING CONSTITUENT COUNCILS

- 14.1 Any council may become a Constituent Council (an Incoming Constituent Council) if:
 - 14.1.1 it makes written application (in a form approved by the Board) to become a Constituent Council and agrees to be bound by this Charter (noting that Shares will change).
 - 14.1.2 its application is supported by a thorough, realistic, independent, and diligent Business Case analysis.
 - 14.1.3 it pays any joining fee or other payment as may be required by the Board.
 - 14.1.4 the Constituent Councils approve the application and revised Shares by Unanimous Decision.
 - 14.1.5 the Minister approves.
- 14.2 An incoming Constituent Council:
 - 14.2.1 is jointly and severally liable with the other Constituent Councils for the debts and liabilities of the Authority incurred before or after the date it becomes a Constituent Council, or as otherwise agreed.
 - 14.2.2 is bound by a decision made or step taken by the Board in the affairs of the Authority before it became a Constituent Council to the extent such decision or step was recorded in minutes of the Board's meetings or otherwise notified to the Incoming Constituent Council before it made application to become a Constituent Council.
 - 14.2.3 upon becoming a Constituent Council has the Share agreed between the Incoming Constituent Council and the Constituent Councils.

15 OUTGOING CONSTITUENT COUNCILS

- 15.1 A Constituent Council may resign if and only if:
 - 15.1.1 the Constituent Council gives at least 24 months' written notice of resignation to each Constituent Council, which notice is effective on the next 30 June on or after expiry of that period.
 - 15.1.2 the Board by majority vote approves.
 - 15.1.3 the Minister approves.
- 15.2 A former Constituent Council remains liable to contribute to the debts and liabilities of the Authority incurred while it was a Constituent Council including by contributing to the

depreciated value of any asset acquired during that time, and for a share of any future losses on contracts entered into whilst a Constituent Council.

15.3 A former Constituent Council:

15.3.1 is not entitled to any refund of contributions made.

15.3.2 relinquishes any beneficial interest in the assets of the Authority.

15.3.3 remains bound by any separate contract in force between the Authority and the former Constituent Council.

15.4 This Clause is to be read conjunctively with Clause 57 of this Charter.

16 NO TRANSFER OF MEMBERSHIP

Membership of the Authority is personal to the Constituent Council and is not transferable.

17 CONSTITUENT COUNCILS MAY DIRECT THE AUTHORITY

17.1 The Authority is subject to the joint direction and control of the Constituent Councils.

17.2 To be effective, a determination or direction or other decision of the Constituent Councils must be a Unanimous Decision and evidenced by either:

17.2.1 a minute signed by the Chair of a meeting of authorised delegates of the Constituent Councils that at such meeting a decision was duly made by each delegate on behalf of their Constituent Council.

17.2.2 a resolution in the same terms in favour of that decision passed individually by each of the Constituent Councils.

18 CONSTITUENT COUNCILS ARE GUARANTORS OF THE AUTHORITY

18.1 As a matter of record, Schedule 2, Clause 31 (1) of the Act is that liabilities incurred or assumed by the Authority are guaranteed by the Constituent Councils.

18.2 As between the Constituent Councils, they share in the liabilities of the Authority in proportion to their respective Share.

19 SPECIAL DECISIONS FOR THE AUTHORITY

Neither the Authority nor any person on its behalf may give effect to a Special Decision unless the Constituent Councils vote in favour of a resolution for the Special Decision by Absolute Majority.

For these purposes, a Special Decision means any of the following:

- (a) adopt or vary a Business Plan.
- (b) adopt or vary an Annual Plan.
- (c) delegate the authority of the Board to any person other than the Chief Executive Officer.
- (d) to any extent not provided for in a Business Plan or Annual Plan and Budget.
 - (i) call on Constituent Councils to contribute funds.

- (ii) grant or vary a guarantee/indemnity of the obligations of another person.
- (iii) apply for government funding.
- (iv) obtain credit except in the ordinary course of the activities of the Authority.
- (v) acquire (by purchase or finance lease) a capital asset.
- (vi) dispose of a capital asset except at the end of its effective life.
- (vii) take a lease or tenancy of any premises.

The Authority must promptly give effect to Special Decision made in conformity with this clause.

PART 5 – DIRECTORS

20 QUALIFICATIONS OF DIRECTORS

A Director must be a natural person.

21 APPOINTMENT OF DIRECTORS

21.1 Subject to the provisions of Clauses 33.1 and 33.2 the Board shall consist of nine Directors appointed as follows:

21.1.2 one person appointed by each Constituent Council having regard for the skills, knowledge and experience required to support the Authority's strategic needs.

with one person appointed by each Constituent Council which person may be an officer, employee, elected member of a Constituent Council or an independent person who will be appointed for a three-year term.

21.1.2 one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment for a further two three-year terms, being nine years in total) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:

- (a) corporate financial management and/or
- (b) general management and/or
- (c) waste management and/or
- (d) transport fleet management and/or
- (e) public sector governance and/or
- (f) marketing and/or
- (g) economics and/or
- (h) environmental management.

21.2 Each Constituent Council must give to the Authority a written notice of appointment of the Director appointed under Clause 21.1.1 and written confirmation of their agreement with the proposed appointment of the Director under Clause 21.1.2.

- 21.3 Each Director must give to the Authority a signed written consent to act as a Director.
- 21.4 Each Constituent Council must appoint a person to be a Deputy Director for such term as determined by that Constituent Council who may act in place of that Constituent Council's Director, and will have the same powers as a Director pursuant to the Charter, if the Director is unable for any reason to be present at a meeting of the Board.
 - 21.4.1 If at any time a Deputy Director is removed from their office pursuant to Clause 22A, the Constituent Council must appoint another person to be a Deputy Director.

22 REMOVAL OF DIRECTORS

- 22.1 Neither the Authority nor the Board may remove a Director.
- 22.2 A Constituent Council which appointed a person as a Director may remove that person from office by giving to the Authority a written notice of removal of the Director, signed by the Chief Executive Officer of the Constituent Council.
- 22.3 The Director appointed pursuant to Clause 21.1.2 may be removed by a decision being a resolution in the same or similar terms passed by an Absolute Majority of the Constituent Councils.
- 22.4 The Board may recommend to Constituent Councils, that the appointment of a Director be terminated in the event of:
 - 22.4.1 behaviour of the Director which in the opinion of the Board amounts to impropriety.
 - 22.4.2 serious neglect of duty in attending to the responsibilities of Director.
 - 22.4.3 breach of fiduciary duty to the Board.
 - 22.4.4 breach of the duty of confidentiality to the Board.
 - 22.4.5 breach of the conflict of interest rules of the Board.
 - 22.4.6 any other behaviour which may discredit the Board.
- 22.5 The office of a Director becomes vacant if the Director:
 - 22.5.1 dies.
 - 22.5.2 is not reappointed.
 - 22.5.3 resigns by written notice addressed to the Constituent Councils and served on any of them.
 - 22.5.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors;
 - 22.5.5 was when appointed an council member or employee of the Constituent Council who appointed them and ceases to be an council member or employee of that Constituent Council.

- 22.5.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.
- 22.5.7 is removed from office by the Constituent Councils by written notice.
- 22.5.8 fails to submit a Return as required by Section 75D of the Act.

22A. REMOVAL OF DEPUTY DIRECTORS

- 22A.1 Neither the Authority nor the Board may remove a Deputy Director.
- 22A.2 A Constituent Council which appointed a person as a Deputy Director may remove that person from their office by giving the Board a written notice of removal of the Deputy Director, signed by the Chief Executive Officer of the Constituent Council.
- 22A.3 The Board may recommend to Constituent Councils that the appointment of a Deputy Director may be terminated in the event of:
 - 22A.3.1 behaviour of the Deputy Director which in the opinion of the Board amounts to impropriety.
 - 22A.3.2 serious neglect of duty in attending to the responsibilities of the Deputy Director.
 - 22A.3.3 breach of fiduciary duty to the Board.
 - 22A.3.4 breach of duty of confidentiality to the Board.
 - 22A.3.5 breach of the conflict of interest rules of the Board.
 - 22A.3.6 any other behaviour which may discredit the Board.
- 22A.4 The office of a Deputy Director becomes vacant if the Deputy Director:
 - 22A.4.1 dies.
 - 22A.4.2 is not reappointed.
 - 22A.4.3 resigns by written notice addressed to the Constituent Councils and served on any of them.
 - 22A.4.4 becomes bankrupt or applies for the benefit of a law for the relief of insolvent debtors.
 - 22A.4.5 was when appointed an elected member or employee of the Constituent Council who appointed them and ceases to be an elected member or employee of that Constituent Council.
 - 22A.4.6 was appointed by a Constituent Council, which ceases to be a Constituent Council.

23 REMUNERATION OF DIRECTORS

- 23.1 The Authority will only remunerate the Independent Director/ Chair appointed under Clause 21.1.2.
- 23.2 The Board will determine the level of the remuneration (no matter how it is classified) of the Independent Director/Chair, by having regard to its Director/Chair Remuneration Policy.
- 23.3 The Authority can pay a Director's travelling and other expenses that they properly incur in connection with the Authority's business and with the prior approval of the Board as recorded in minutes of Board meetings.

24 REGISTER OF INTERESTS

By operation of Section 72 of the Act, the conflict of interest provisions at Chapter 5, Part 4, Division 1 of the Act apply to Board Members as if they were a member of a council.

25 PROTECTION FROM LIABILITY

As a matter of record, Schedule 2, Clause 38 of the Act protects a Director from certain civil liabilities.

26 SAVING PROVISION

As a matter of record, Schedule 2, Clause 40 of the Act is that no act or proceeding of the Authority is invalid by reason of:

- 26.1 a vacancy or vacancies in the membership of the Board.
- 26.2 a defect in the appointment of a Director.

27 BOARD PERFORMANCE

- 27.1 The Board will review and evaluate its own performance against the objectives listed in East Waste's suite of strategic plans at least once per annum.
- 27.2 Board committees will review and evaluate their own performance against the objectives listed in their Terms of Reference at least once per annum.
- 27.3 The Board may determine the most appropriate method for assessment, which may include qualitative and quantitative measures such as self-assessment questionnaires, peer reviews, or one-on-one interviews with the Chair.
- 27.4 Written copies of all performance evaluations shall be submitted to the Constituent Councils for information.

PART 6 – OTHER OFFICERS

28 CHAIR

- 28.1 At all times, the Authority must have a Chair, who will be the independent Director appointed under Clause 21.1.2.
- 28.2 The Chair's functions are:
 - 28.2.1 to preside at all meetings of the Board.
 - 28.2.2 to serve as an ex officio member of all committees established by the Board.
 - 28.2.3 to represent the Authority in relations with the media and the public generally.
 - 28.2.4 to exercise other functions as the Board determines.

29 DEPUTY CHAIR

- 29.1 At all times, the Authority must have a Deputy Chair, who must be a Board Member.
- 29.2 The Board appoints the Deputy Chair and may at any time remove from office the Deputy Chair and appoint a replacement Deputy Chair.
- 29.3 The Deputy Chair's functions are:
 - 29.3.1 to assist the Chair.
 - 29.3.2 to exercise the Chair's functions whenever the Chair is unable to do so.
- 29.4 A person ceases to be Deputy Chair if they cease to be a Board Member.

30 CHIEF EXECUTIVE OFFICER

- 30.1 At all times so far as practicable, the Authority must have a Chief Executive Officer.
- 30.2 At any time the Board may give a new title to the position of Chief Executive Officer in which case this Charter is taken to refer to the same position under a new title.
- 30.3 The Board shall appoint a Chief Executive Officer on a fixed term performance based employment contract, which does not exceed five years in duration.
- 30.4 The Board may at the end of the contract term, enter into a new contract not exceeding five years in duration with the same person.
- 30.5 The Board may revoke or vary an appointment of a Chief Executive Officer, subject to any agreement made between the Chief Executive Officer and the Authority.
- 30.6 In the absence of the Chief Executive Officer for any period exceeding one week, the Chief Executive Officer shall appoint a suitable person as Acting Chief Executive Officer. If the Chief Executive Officer does not make or is incapable of making such an appointment, a suitable person must be appointed by the Board.
- 30.7 The Board delegates responsibility for day to day management of the Authority to the Chief Executive Officer, who will ensure that sound business, risk minimisation, financial and human resource management practices are applied in the efficient and effective management of the operations of the Authority.

- 30.8 The functions of the Chief Executive Officer shall include:
- 30.8.1 ensuring that the decisions of the Board are implemented in a timely and efficient manner.
 - 30.8.2 providing information to assist the Board to assess the Authority's performance against its Business Plan.
 - 30.8.3 appointing, managing, suspending and dismissing other employees of the Authority.
 - 30.8.4 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act.
 - 30.8.5 coordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Authority.
 - 30.8.6 ensuring that the assets and resources of the Authority are properly managed and maintained.
 - 30.8.7 ensuring that records required under the Act or any other legislation are properly kept and maintained.
 - 30.8.8 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board, and achieving financial outcomes in accordance with adopted plans and budgets.
 - 30.8.9 issuing notices calling Board meetings.
 - 30.8.10 attending all Board meetings and keeping correct minutes of the proceedings unless excluded by resolution of the Board.
 - 30.8.11 managing all other employees of the Authority.
 - 30.8.12 receiving and answering correspondence and notices to the Authority.
 - 30.8.13 keeping all documents and records belonging to the Authority.
 - 30.8.14 supervising the handling of money by or for the Authority and the keeping of financial records.
 - 30.8.15 issuing receipts for moneys received and keep a correct account of all receipts and expenditure.
 - 30.8.16 operating the Authority's bank account (including sign cheques and other negotiable instruments and make payments over the Internet within the delegations to the position) together with one other signatory appointed by the Board. Unless the Board determines otherwise, that other person must be the Chair.
 - 30.8.17 having custody and safekeeping of the records of the Authority.
 - 30.8.18 preparing draft Annual and Business Plans for consideration of the Board.

- 30.8.19 monitoring the financial performance of the Authority against an adopted Annual and Business Plan and promptly reporting to the Board any material discrepancies known or anticipated.
- 30.8.20 preparing such statements, reports, returns or other written information as the Act or any law requires the Authority to lodge with the government.
- 30.8.21 preparing draft financial statements.
- 30.8.22 such other functions as the Board may vest in the Chief Executive Officer.
- 30.9 The Board may delegate to the Chief Executive Officer any of the powers that the Board can exercise where those powers are not restricted from delegation by the Act or this Charter, noting that:
 - 30.9.1 the Chief Executive Officer may delegate or sub-delegate to an employee of the Authority or a committee comprising employees of the Authority, any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Chief Executive Officer.
 - 30.9.2 where a power or function is delegated to an employee, the employee is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function.
 - 30.9.3 a written record of delegations and sub-delegations must be kept by the Chief Executive Officer at all times.
- 30.10 The Chief Executive Officer enjoys functions and responsibilities set out at Section 99 (1) (a), (b), (c), (d), (e) and (h) and 103 of the Act as if the Authority were a council and the Chief Executive Officer were a chief executive officer of a council.
- 30.11 The Chief Executive Officer may establish an Operations Assistance Committee consisting of one appropriately qualified senior officer from each Constituent Council.
- 30.12 The Chief Executive Officer will, at least annually, hold a meeting collectively with each of the Mayors and CEOs of the Constituent Councils at a venue to be notified to the Constituent Councils at least 14 days prior to the date of the meeting.

PART 7 – AUDIT COMMITTEE

31 AUDITOR

The Authority must have an auditor. Subject to the Act an auditor holds office on the terms and conditions (including as to remuneration) that the Board determines.

32 AUDIT COMMITTEE

- 32.1 As a matter of record, the Authority is required to establish an audit committee and Schedule 2, Clause 30 of the Act governs the constitution and functions of the audit committee.

- 32.2 The Constituent Councils delegate the power contained in Schedule 2, Part 30, Clause 3 of the Local Government Act 1999, to the East Waste Board to determine or approve persons as members of the East Waste Audit & Risk Management Committee.

PART 8 – STAFF

33 STAFF

- 33.1 In addition to a Chief Executive Officer, the Authority may employ other staff subject to the Board making appropriate financial provision.
- 33.2 The Board and a Constituent Council may arrange for that Constituent Council to make available its staff in connection with the Authority's affairs for such remuneration (if any) as those parties may agree.

34 SUPERANNUATION

The parties agree that the Employer will pay Employer superannuation contributions in respect of each employee in accordance with the Employee Superannuation Guarantee (Administration) Act 1992.

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35 CIVIL LIABILITY INSURANCE

East Waste will indemnify its employees against any civil liability incurred by the employee for an honest act or omission in the exercise, performance or discharge or purported exercise performance or discharge of powers, functions and duties of the employee under the Local Government Act 1999 or any other Act.

PART 9 – BOARD

36 BOARD

The Authority must at all times have a Board comprised of Directors.

- 36.1 The Constituent Councils acknowledge and accept that the Directors will act and take decisions in the best interest of the Authority.
- 36.2 The Constituent Councils understand that each Director nominated by a Constituent Council will bring to discussion a perspective from the Council which nominated that Director but that shall not interfere with the obligations of Directors in respect of Clause 33.1.

37 BOARD'S POWERS

- 36.1 As a matter of record, Schedule 2, Clause 22 (1) of the Act is that the Board is responsible for the administration of the affairs of the Authority.
- 36.2 As a matter of record, Schedule 2, Clause 22 (3) of the Act is that anything done by the Board in the administration of the Authority's affairs is binding on the Authority.
- 36.3 The Board may exercise all the powers of the Authority except any powers that the Act or this Charter requires the Constituent Councils to exercise.
- 36.4 As a matter of record, Schedule 2, Clause 36 (1) of the Act authorises the Board to delegate powers or functions conferred under this or another Act.

- 36.4.1 A delegation of powers by the Board:
- (a) may authorise the delegate to sub-delegate all or any of the powers vested in the delegate.
 - (b) is concurrent with the exercise by the Board of those powers.
 - (c) is subject to any specified conditions and limitations.
 - (d) is revocable at will.

38 BOARD MEETINGS

- 38.1 Subject to Schedule 2, Clause 21 of the Act, to a direction of the Constituent Councils and to the other provisions of this Charter.
- 38.1.1 the Board must determine its own procedures for meetings, which must be fair and contribute to free and open decision making.
- 38.1.2 the Board must set out the adopted meeting procedures in a meeting procedure code of practice which will be available to the public for inspection (without charge) and by way of a copy (on payment of a fee fixed by the Board).
- 38.1.3 the code of practice may be reviewed by the Board at any time but must be reviewed at least once in every three years.
- 38.2 An ordinary meeting of the Board must be held at least every three calendar months.
- 38.3 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Board or absent any decision of the Board the Chief Executive Officer of the Authority. Meetings shall not be held before 5 p.m. unless the Board resolves otherwise by resolution supported unanimously by all Board Members.
- 38.4 An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the ordinary meeting.
- 38.5 Notice of ordinary meetings of the Board must be given by the Chief Executive Officer to each Board Member and to each Constituent Council not less than three clear days prior to the holding of the meeting and shall be accompanied by the agenda for the meeting and any written reports.
- 38.6 The Chair or any two Directors may call a special meeting of the Board.
- 38.7 A special meeting of the Board must be held at a reasonable time and if the meeting is to be held in person, at a reasonable place.
- 38.8 Unless all Directors entitled to vote at the meeting agree otherwise, the persons calling a special Board meeting must give to the Chief Executive Officer a notice of meeting that:
- 38.8.1 sets out the place, date and time for the meeting.
 - 38.8.2 states the general nature of the business of the meeting.
 - 38.8.3 is accompanied by relevant information so far as reasonably available (if not already given to the Directors).

- 38.8.4 is provided at least one clear business day before the special meeting (or such other period as all the Directors in office may as a matter of general policy determine otherwise).
- 38.9 A notice of special meeting provided to Directors by the Chief Executive Officer will at the same time be placed on public on the website display at the principal office of the Authority and of each Constituent Council.
- 38.10 As a matter of record, Schedule 2, Clause 21 (5) of the Act permits a virtual Board meeting.
- 38.10.1 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Directors provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Directors taking part in the meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Directors present. At the commencement of the meeting, each Director must announce their presence to all other Directors taking part in the meeting. A Director must not leave a telecommunications meeting by disconnecting his/her their telephone, audio visual or other communication equipment, unless that Director has previously notified the Chair of the meeting.
- 38.11 As a matter of record, Schedule 2, Clause 21 (6) of the Act permits a decision of the Board to be made in writing and not at a meeting.
- 38.11.1 A proposed resolution in writing and given to all Directors in accordance with proceedings determined by the Board will be a valid decision of the Board where a simple majority of Directors vote in favour of the resolution by signing and returning the resolution to the Chief Executive Officer or otherwise giving written notice of their consent and setting out the terms of the resolution to the Chief Executive Officer. The resolution shall thereupon be as valid and effectual as if it had been passed at the meeting of the Board duly convened and held.
- 38.12 Chapter 6, Parts 3 and 4 (public access to meetings and minutes) of the Act (to the extent that Part 4 is not inconsistent with this Charter) apply to Board meetings as if the Authority were a council and the Directors were members of a council.
- 38.13 Unless the Directors determine otherwise, the quorum for a Board meeting is a number ascertained by dividing the total number of members of the committee by two, ignoring any fraction resulting from the division and adding one.
- 38.14 At any time, the Board may agree to invite a person to attend a Board meeting as an observer or adviser.
- 38.15 As a matter of record, Schedule 2, Clauses 21 (4) (one vote per Director, no casting vote) and 21 (3) (majority vote) of the Act govern voting at a Board meeting.

- 38.16 As a matter of record, Schedule 2, Clause 21 (11) of the Act obliges the Board to keep minutes of its proceedings. All minutes must be prepared and distributed to both Directors and also to Constituent Councils within seven business days of the meeting to which they relate.

PART 10 – COMPETITIVE NEUTRALITY

39 COMPETITIVE NEUTRALITY

- 39.1 For the purposes of Schedule 2, Clause 32 of the Act, the Authority is not involved in a significant business activity in undertaking its Core Activity.
- 39.2 In respect of any Non-core Activity that is a significant business activity, the Authority must at all times have current a National Competition Policy Statement in relation to competitive neutrality which it will adhere to in undertaking that Non- core Activity.

PART 11 – GOVERNANCE

40 DIRECTOR'S CONFLICT OF INTEREST

- 40.1 By operation of section 75D of the Act, the conflict of interest provisions at Chapter 5, Part 4, Division 1 of the Act apply to Board Members as if they were a member of a council.
- 40.2 For the purposes of Section 72(4) of the Local Government Act 1999 the Constituent Councils set the fee for a copy of the Register at \$1.

41 DIRECTOR'S DUTIES OF CARE

As a matter of record, Schedule 2, Clause 23 of the Act (care and diligence) and Schedule 2, Clause 34 of the Act (honesty, use of information, use of position) set out certain statutory duties that apply to a Director.

42 BOARD POLICIES AND CODES

- 42.1 The Authority must, in consultation with the Constituent Councils, prepare and adopt and thereafter keep under review policies on:
- 42.1.1 procedures for meetings of the Board (in accordance with Clause 35.1 of this Charter).
 - 42.1.2 contracts and tenders, as would conform to Section 49 of the Act.
 - 42.1.3 public consultation, as would conform to Section 50 of the Act.
 - 42.1.4 governance including as concerns:
 - (a) the operation of any account with a bank or Local Government Finance Authority.
 - (b) human resource management.
 - (c) improper assistance to a prospective contract party.
 - (d) improper offering of inducements to Directors or to staff of the Authority.
 - (e) improper lobbying of Directors or staff of the Authority.

42.1.5 occupational health and safety.

42.1.6 protection of the environment.

42.2 To the extent it is able, the Board must ensure that such policies as above are complied with in the affairs of the Authority.

42.3 The Board must prepare and adopt within six months after the Gazettal of this Charter, a code of conduct to be observed by Directors.

43 BOARD DUTIES TO CONSTITUENT COUNCIL

As a matter of record, Schedule 2, Clause 22 (2) of the Act is that the Board must ensure as far as practicable:

43.1 that the Authority observes all plans, targets, structures, systems and practices required or applied to the Authority by the Constituent Councils.

43.2 that all information furnished to a Constituent Council is accurate.

43.3 that the Constituent Councils are advised, as soon as practicable, of any material development that affects the financial or operating capacity of the Authority or gives rise to the expectation that the Authority may not be able to meet its debts as and when they fall due.

44 BOARD DUTIES TO THE AUTHORITY

The Board must ensure:

44.1 that the Authority acts in accordance with applicable laws, mandatory codes of practice, this Charter, Business Plan, Annual Plan and achieves the financial outcomes projected in its Budget.

44.2 that the Authority acts ethically and with integrity.

44.3 that the activities of the Authority are conducted efficiently and effectively and that any assets of the Authority are properly managed and maintained.

44.4 that, subject to any overriding duty of confidence, the affairs of the Authority are undertaken in an open and transparent manner.

PART 12 – BUSINESS PLANS

45 BUSINESS PLANS

As a matter of record, Schedule 2, Clause 24 of the Act sets out requirements for Business Plans. The following provisions of this Part are in addition to and not in derogation of the requirements of the Act.

46 ABOUT A BUSINESS PLAN

46.1 The Board must prepare at least a ten-year Business Plan for the region, in a collaborative manner with Constituent Councils which cannot be in conflict with this Charter.

- 46.2 The Board must also prepare a ten-year Long Term Financial Plan (which, must include principles detailing the actual distribution of overheads between the Constituent Councils and any other matter required by the Constituent Councils or determined by the Board to be included therein) and an Asset Management Plan.
- 46.3 The Long Term Financial and Asset Management Plans form part of the Business Plan.
- 46.4 In preparing and when reviewing a Business Plan, the Board must at a minimum have regard to the following:
 - 46.4.1 any State Government Agency Waste plan then in force in relation to the area of a Constituent Council and any proposed changes to such plan;
 - 46.4.2 any initiatives proposed by the Commonwealth of Australia or the State Government as may impact upon or affect proper waste management in the area of an individual Constituent Council or Constituent Councils collectively;
 - 46.4.3 any plan or policy of a Constituent Council for waste management then in force, and any proposed changes to such plan or policy;
 - 46.4.4 the strategic management plans of each Constituent Council then in force; and
 - 46.4.5 the annual business plan and budget of each Constituent Council then in force.

PART 13 – NON-CORE ACTIVITY

47 NON-CORE ACTIVITY PROPOSALS

The Chief Executive Officer, the Board or any Constituent Council may propose the Authority adopt a Non-core Plan.

48 NON-CORE ACTIVITY CONSULTATION

A proposer of a draft Non-core Plan must consult all the Constituent Councils in developing the draft.

49 NON-CORE PLAN REQUIREMENTS

A draft Non-core Plan must set out in reasonable detail in relation to the Non-core Activity it concerns:

- 49.1 the kind of service to which it relates.
- 49.2 its priority in relation to other existing or proposed Core Activity and Non-core Activity.
- 49.3 its expected duration.
- 49.4 a timetable for its full implementation.
- 49.5 its anticipated effect on the resources of the Authority (including financial, technological, physical and human resources) and in particular and without limiting the generality of the foregoing:
 - 49.5.1 personnel requirements over time, and how those requirements are to be satisfied.

- 49.5.2 plant and equipment requirements over time, and how those requirements are to be satisfied.
- 49.5.3 fuel and other consumables requirements over time, and how those requirements are to be satisfied.
- 49.5.4 access to weigh-stations, recycling premises, and waste dump premises over time, and how those requirements are to be satisfied.
- 49.6 its anticipated expenditure, revenue and cash-flow outcomes over time (on a calendar monthly basis).
- 49.7 the sources of funds and when those funds need be sourced.
- 49.8 whether and if so what resources of a Constituent Council are required to be available to the Non-core Activity.
- 49.9 whether the Local Government Mutual Liability Scheme has forecast any peculiar liability issues for the Non-core Activity, and the advice given in relation to those liability issues.
- 49.10 whether the lawyers for the Authority have forecast any peculiar legal issues for the Non-core Activity, and the advice given in relation to those legal issues.
- 49.11 whether the auditors of the Authority have forecast any peculiar accounting or audit issues for the Non-core Activity.
- 49.12 governance issues, including whether and what delegations are required.
- 49.13 whether the Non-core Activity is a significant business activity and if so, how adherence to the National Competition Policy will be assured.
- 49.14 how the Non-core Plan may change over time.

50 CONDITIONS OF ADOPTION OF A NON-CORE PLAN

A Non-core Plan is not effective unless and until all of the following are satisfied:

- 50.1 the Board resolves to adopt the Non-core Plan:
- 50.2 the Constituent Councils have each resolved to:
 - 50.2.1 approve their Council's participation in the Non-core Activity.
 - 50.2.2 make any necessary consequential changes to their Council's strategic management plans, annual business plan and budget.

51 NON-CORE PLANS AS PART OF THE BUSINESS PLAN

A Non-core Plan adopted by the Authority forms part of the Business Plan.

52 REVIEW OF A NON-CORE PLAN

As part of a Business Plan, a Non-core Plan is subject to review by the Authority at the same times as the remainder of the Business Plan.

PART 14 – ANNUAL PLAN AND BUDGET

53 ANNUAL PLAN

The Authority must, for each financial year, have an Annual Plan which supports and informs its Budget. The Annual Plan must:

- 53.1 include an outline of the Authority's objectives for the financial year, the activities that the Authority intends to undertake to achieve those objectives and the measures that the Authority intends to use to assess its performance against its objectives over the financial year.
- 53.2 assess the financial requirements of the Authority for the financial year and, taking those requirements into account, set out a summary of the Authority's proposed operating expenditure, capital expenditure and sources of revenue.
- 53.3 take into account the objectives set out in the Business Plan and, in particular, the Long-Term Financial Plan and issues relevant to the management of assets and resources by the Authority.
- 53.4 set out proposals for the recovery of overheads over the financial year from the Constituent Councils.
- 53.5 address or include any other matter prescribed by the Constituent Councils or determined to be relevant by the Board.

54 ABOUT AN ANNUAL PLAN

- 54.1 An adopted Annual Plan binds the Authority and is the basis upon which the Budget is prepared.
- 54.2 Before the Authority adopts its Annual Plan it must prepare a draft Annual Plan and obtain the consent of an Absolute Majority of the Constituent Councils to that Plan.
- 54.3 The Authority must prepare the draft Annual Plan and provide it to the Constituent Councils by a date determined by the Councils for the purpose of obtaining the consent of the Councils on or before 31 May in each financial year.

55 BUDGETS

As a matter of record, Schedule 2, Clause 25 of the Act sets out requirements for Budgets, and the Authority must advise Constituent Councils of the proposed fees for the next financial year by 1 April in the preceding financial year.

56 ABOUT A BUDGET

- 56.1 An adopted Budget (prepared in a manner consistent with the Annual Plan) binds the Authority and is authority for the Authority to perform work and incur debts and meet obligations according to its own terms without reference back to the Board or to a Constituent Council (except to any extent the Budget or the Annual Plan otherwise requires).
- 56.2 Each Budget of the Authority must be adopted:
 - 56.2.1 after the Authority has adopted its Annual Plan.
 - 56.2.2 must be consistent with that Plan.
 - 56.2.3 before 30 June in each financial year.

57 EXPENDITURE OUTSIDE A BUDGET

- 57.1 As a matter of record, Schedule 2, Clause 25(4) is that the Authority may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget without consulting with and seeking approval from the Constituent Councils.
- 57.2 As a matter of record, Schedule 2, Clause 25 (5) is that the Authority may, in a financial year, after consultation with the Constituent Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.

PART 15 – SHARES

58 ABOUT SHARES

A Share means a Constituent Council's percentage share in the assets, liabilities and revenue of the Authority (after deducting Non-core Assets and Non-core Liabilities) as between all the Constituent Councils in accordance with this Part 15.

To avoid doubt, a third party dealing with the Authority is entitled to have recourse to all the Constituent Councils jointly and severally, regardless of the Shares of the Constituent Councils.

59 VARIATION OF SHARES

- 59.1 At the date of operation of this Charter the Constituent Councils' shares in the Authority are equal.
- 59.2 At any time, all the Constituent Councils may in writing agree to vary the Share of one or more of them.
- 59.3 The Shares must be reviewed and, as necessary, varied each time:
 - 59.3.1 a council is admitted to the Authority as a Constituent Council.
 - 59.3.2 a Constituent Council amalgamates with another council.
 - 59.3.3 a Constituent Council resigns from the Authority.

PART 16 – FUNDING

60 FUNDING

The Authority may decline to take any action where funds then available to the Authority are in the Board's opinion insufficient to defray the costs of such action and any debt or liability that may result.

61 CONSTITUENT COUNCIL CONTRIBUTIONS TO WORKING CAPITAL

- 61.1 This Clause applies only to a Core Activity.
- 61.2 A Constituent Council must contribute to the Authority such amounts at such times as the Budget requires (after deducting from the Budget any amounts identified as Non-core Assets and Non-Core Liabilities).
- 61.3 If the Budget does not specify a fixed dollar amount to be payable by the Contributor, the Constituent Council may require as a condition of payment that the Authority first provide an itemised estimate of the Core Activity expenditure reasonably expected to be incurred and which that contribution is to defray (after adjustments for payments previously made by that Constituent Council).
- 61.4 The Authority must use contributions received from a Constituent Council only for the purposes of a Core Activity as set out in the Budget.
- 61.5 If a Constituent Council (a Defaulter) fails to pay its full contribution so required when due:
 - 61.5.1 the Defaulter must pay to the Authority interest on that amount at the official Reserve Bank Cash Rate Target plus 10% per annum from the due date to the date of actual payment.
 - 61.5.2 the Authority may recover that amount and that interest from the Defaulter as a debt.
 - 61.5.3 the Authority may, without prejudicing its other rights, set off any moneys otherwise payable by the Authority to the Defaulter against that amount and interest.
 - 61.5.4 if the default continues for at least 14 days:
 - (a) the Authority must notify all Constituent Councils (including the Defaulter) of the fact and details of the default; and
 - (b) Constituent Councils other than the Defaulter must together lend to the Authority an amount (equal to the amount not paid by the Defaulter) in such proportions as they may agree or failing agreement between themselves, in the proportion that their Share bears to the total Shares held by those Constituent Councils making such loan, for repayment when and to the extent the Defaulter makes good the contribution and accrued interest.

62 DEBT FUNDING

The Authority may borrow or raise money from the Local Government Finance Authority or a bank of such amount(s) as provided for in a Business Plan and Budget approved by the Constituent Councils.

63 DISTRIBUTIONS TO CONSTITUENT COUNCILS

The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Common Fleet Collection Percentages to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.

64 CONTRIBUTIONS ON INSOLVENCY

On the insolvency of the Authority, and subject to Clause 57 of this Charter, each Constituent Council must contribute in proportion to their Share to the debts and liabilities of the Authority and otherwise as incurred while the Constituent Council is a Constituent Council.

PART 17 – ASSETS

65 ACQUISITION OF ASSETS

The Authority may in accordance with this Charter acquire such assets (real or personal) as its Business Plan provides or otherwise pursuant to a Unanimous Decision of the Constituent Councils.

66 DISPOSAL OF ASSETS

The Authority may dispose of (personal) assets as its Business Plan provides, or at the end of the asset's economic life.

67 INVESTMENTS

In accordance with its Business Plan and Budget the Authority may invest in the items below:

- 67.1 in waste management infrastructure and ancillary land.
- 67.2 in plant and equipment to store, transfer and/or treat waste.
- 67.3 in plant and equipment to transport waste from properties to an appropriate place of storage and/or disposal.
- 67.4 cash on interest-bearing deposit with any bank.

68 INTERESTS IN COMPANIES

As a matter of record, Schedule 2, Clause 39 of the Act prohibits the Authority from having an interest in most companies.

PART 18 – INSURANCE

69 INSURANCE

- 69.1 The Authority must register with the Local Government Association Mutual Liability Scheme and comply with the rules of that Scheme.

PART 19 – FINANCIAL PRACTICES

70 ACCOUNTING RECORDS

The Authority must comply with Section 124 of the Act as if the Authority were a council.

71 ABOUT ACCOUNTING FOR SERVICES

The Authority must keep accounting records in relation to services in such manner as will enable the calculation of Constituent Councils' contributions to, expenditure on and revenue from that service separately.

72 OTHER FINANCIAL PRACTICES

Except as may be stated elsewhere in this Charter or required by law, there are no special accounting, internal auditing or financial systems or practices to be established or observed by the Authority.

PART 20 – ACCESS TO INFORMATION

73 ACCESS TO RECORDS

A Constituent Council and a Director each has a right to inspect and take copies of the books and records of the Authority for any proper purpose.

74 PROVISION OF INFORMATION

As a matter of record Schedule 2, Clause 27 of the Act entitles each Constituent Council to be furnished with information or records of the Authority.

75 BOARD REPORTS

The Authority must provide Board reports to the Directors and Constituent Councils in accordance with this Charter and otherwise at such times, in such format and with such content as the Board may determine.

76 ANNUAL REPORTS

- 76.1 As a matter of record, Schedule 2, Clause 28 of the Act requires the Authority to furnish an annual report to the Constituent Councils.
- 76.2 The annual report will be in such format and include such content as the Constituent Councils may prescribe by Absolute Majority.
- 76.3 The annual report must be delivered to the Councils on or before 30 September in each year subsequent to the financial year to which the report relates.

PART 21 – DISPUTE RESOLUTION

77 DISPUTE RESOLUTION

77.1 About this clause:

77.1.1 The procedure in this Clause must be applied to any dispute that arises between the Authority and a Constituent Council concerning the affairs of the Authority, or between Constituent Councils concerning the affairs of the Authority, including a dispute as to the meaning or effect of this Charter and whether the dispute concerns a claim in common law, equity or under statute.

77.1.2 The Authority and a Constituent Council must continue to observe and perform this Charter despite the application or operation of this clause.

77.1.3 This Clause does not prejudice the right of a party:

- (a) to require the continuing observance and performance of this Charter by all parties; or
- (b) to institute proceedings to enforce payment due under this Charter or to seek injunctive relief to prevent immediate and irreparable harm.

77.1.4 Pending completion of the procedure set out in this clause, and subject to this clause, a dispute must not be the subject of legal proceedings between any of the parties in dispute. If legal proceedings are initiated or continued in breach of this provision, a party to the dispute is entitled to apply for and be granted an order of the court adjourning those proceedings pending completion of the procedure set out in this clause.

77.2 **Step 1: Notice of dispute:** A party to the dispute must promptly notify each other party to the dispute:

77.2.1 the nature of the dispute, giving reasonable details.

77.2.2 what action (if any) the party giving notice thinks will resolve the dispute; and but a failure to give such notice does not entitle any other party to damages.

77.3 **Step 2: Meeting of the parties:** A party to the dispute who complies with the previous step may at the same or a later time notify each other party to the dispute that the first party requires a meeting within 14 business days after the giving of such notice. In that case, each party to the dispute must send to the meeting a senior manager of that party with the Board to resolve the dispute and at the meeting make a good faith attempt to resolve the dispute.

77.4 **Step 3: Mediation:** Despite whether any previous step was taken, a dispute not resolved within 30 days must be referred to mediation, as to which:

77.4.1 the mediator must be a person agreed by the parties in dispute or, if they cannot agree within 14 business days, a mediator nominated by the then President of the South Australian Bar Association (or equivalent officer of any successor organisation).

- 77.4.2 the role of a mediator is to assist in negotiating a resolution of a dispute. A mediator may not make a decision binding on a party unless that party has so agreed in writing.
- 77.4.3 the mediation must take place in a location in Adelaide agreed by the parties.
- 77.4.4 a party in dispute must co-operate in arranging and expediting mediation.
- 77.4.5 a party in dispute must send to the mediation a senior manager with authority to resolve the dispute.
- 77.4.6 the mediator may exclude lawyers acting for the parties in dispute and may co-opt expert assistance as the mediator thinks fit.
- 77.4.7 a party in dispute may withdraw from mediation if there is reason to believe the mediator is not acting in confidence, or with good faith or is acting for a purpose other than resolving the dispute.
- 77.4.8 unless otherwise agreed in writing.
 - (a) everything that occurs before the mediator is in confidence and in closed session.
 - (b) discussions (including admissions and concessions) are without prejudice and may not be called into evidence in any subsequent litigation by a party.
 - (c) documents brought into existence specifically for the purpose of the mediation may not be admitted in evidence in any subsequent legal proceedings by a party.
 - (d) the parties in dispute must report back to the mediator within 14 business days on actions taken, based on the outcome of the mediation.
- 77.4.9 a party in dispute need not spend more than one day in mediation for a matter under dispute;
- 77.4.10 a party in dispute must bear an equal share of the costs and expenses of the mediator and otherwise bears their own costs.
- 77.5 **Step 4: Arbitration:** Despite whether any previous step was taken, a dispute not resolved within 60 days must be referred to arbitration, as to which:
 - 77.5.1 there must be only one arbitrator and who is a natural person agreed by the parties or, if they cannot agree within 14 business days, an arbitrator nominated by the then Chairperson of The Institute of Arbitrators and Mediators Australia (South Australian Chapter).
 - 77.5.2 the role of the arbitrator is to resolve the dispute and make decisions binding on the parties.
 - 77.5.3 the arbitration must take place in an agreed location in Adelaide.
 - 77.5.4 a party must co-operate in arranging and expediting arbitration.

- 77.5.5 a party must send to the arbitration a senior manager with authority to resolve the dispute.
- 77.5.6 the parties may provide evidence and given written and verbal submissions to the arbitrator within the time set by the arbitrator.
- 77.5.7 the arbitrator must:
- (a) consider the evidence and submissions.
 - (b) decide the dispute.
 - (c) give written reasons to each party.
- 77.5.8 subject to this clause, the arbitration must take place under Rules 5 to 18 (inclusive) of the Rules of The Institute of Arbitrators and Mediators for the Conduct of Commercial Arbitrations and the provisions of the Commercial Arbitration Act 2011 (S.A.) and which Rules are taken to be incorporated by reference into this clause or subject to this clause, the arbitrator must fix the rules of arbitration.
- 77.5.9 the costs and expenses of the arbitrator and of each party must be borne as the arbitrator decides.

PART 22 – WINDING UP

78 WINDING UP

The Authority may be wound up in circumstances as Schedule 2, Clause 33 (1) of the Act allows or requires.

79 DISTRIBUTION OF ASSETS AND LIABILITIES ON WINDING UP

In the event the Authority commences to wind up and except to any extent the Board unanimously determines otherwise, the Authority must divide among the Constituent Councils in kind all of the Authority's assets and liabilities in proportion to their Shares or as otherwise agreed by Unanimous Decision of the Constituent Councils.

PART 23 – COMMITTEES

80 COMMITTEES

- 80.1 The Board may establish a committee of Directors for the purpose of enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference given by the Board to the committee.
- 80.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 80.3 The Board may establish advisory committees consisting of or including persons who are not Directors for enquiring into and reporting to the Board on any matter within the Authority's functions and powers and as detailed in the terms of reference which must be given by the Board to the advisory committee.

80.4 A member of an advisory committee established under this Clause holds office at the pleasure of the Board.

PART 24 – OTHER MATTERS

81 EXECUTION OF DOCUMENTS

The Chief Executive Officer must maintain a register of use of the Common Seal. As a matter of record, Schedule 2, Clause 37 of the Act governs the execution of documents by the Authority.

82 PRINCIPAL OFFICE

The Authority's principal office is at 1 Temple Court, Ottoway, S.A. 5013 or as the Board may determine otherwise.

83 SERVICE OF DOCUMENTS

A document to be given by the Authority to a Constituent Council, or by a Constituent Council to the Authority may be given in a manner Section 280 of the Act permits. A written notice given by the Authority to a Constituent Council must be marked, 'Attention: Chief Executive Officer'.








84 CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise about which this Charter is silent, incapable of taking effect or being implemented according to its terms, the Board may consider the circumstances and determine the action to be taken.

The undersigned (being each Council specified in the Charter) agree to the above as the charter of the Authority.

Leonard Leyland
General Manager East Waste

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9.9 Review of Budget Framework Policy

Report Author: Finance Business Partner

Responsible Officer: General Manager

Attachments A: Revised Budget Framework Policy

B: Existing Budget Framework Policy

Purpose and Context

The East Waste Budget Framework Policy has undergone a scheduled review and is presented to the East Waste Board for adoption.

Resolution of the Audit & Risk Management Committee

Moved Ms Caon that the Audit & Risk Management Committee having considered the revised Budget Framework Policy, Item 9.4, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. Provides the following feedback:

- a. ***Requests that the term ‘Member Councils’ be amended to ‘Constituent Councils’ to reflect the terminology of the East Waste Charter.***
- b. ***Requests that the term ‘Services to Non-Constituent Councils’ be amended to ‘Non-core Activities’ to reflect the terminology of the East Waste Charter.***
- c. ***Requests that the term ‘Non-Constituent Councils’ be amended to reflect the definition provided at clause 3 of the revised Budget Framework Policy.***
- d. ***That clause 10 of the revised Policy, ‘Review of the Comment Fleet Charges’ be amended to reflect that this clause takes effect from 1 July 2027.***

2. Recommends that the East Waste Board adopt the revised Budget Framework Policy inclusive of the amendments as requested by the Committee.

Seconded: Ms L Green

Carried

Recommendation/s of the Administration

That the East Waste Board adopt the revised Budget Framework Policy, (Item 9.9, Attachment A, East Waste Board Meeting, 25 June 2026).

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

East Waste's Budget Framework Policy was due for its scheduled review in February 2025. At that time, Administration proposed deferring the review of the Policy until the finalisation of the review of East Waste's cost model, with the findings presented to the Board earlier this year.

The findings were acknowledged by the Board, with direction given to Administration to develop the FY2026/27 Budget under East Waste's existing Budget Framework, with a revised Framework to be presented to the Committee and Board, ahead of the development of the FY2027/28 Budget.

Whilst the Policy can be applied immediately to strengthen East Waste financial management practices, some clauses, particularly relating to the newly defined Corporate Administration Fee, and the proposed quarterly review and reconciliation of Common Fleet Percentages, are not intended to be applied until the development of the FY2027/28 Budget. Rather than excluding these clauses, it was suggested by the Audit & Risk Management Committee to note in the Policy that these clauses will apply from 1 July 2027, to allow the Board to review, provide feedback, and adopt the revised Framework ahead of the development of the FY2028 Budget.

Additionally, the framework assumes East Waste's \$1m overdraft account, being a Cash Advance Debenture (CAD) facility with the Local Government Finance Authority is reinstated, in line with East Waste's historical financial policies and current working capital requirements.

All recommendations and considerations of the Audit & Risk Management Committee have been incorporated into the proposed Budget Framework Policy, as presented in **Attachment A** for the Board's consideration. The existing Policy is presented at **Attachment B** for completeness.

Discussion

The Budget Framework Policy has undergone a comprehensive review, with key amendments included reflective of the outcome of the review of East Waste's Cost Model, being:

- The 1% operating surplus is retained for contingency purposes.
- A transition to monthly Common Fleet billing cycles in advance, as opposed to quarterly, to stabilise cash fluctuations (inclusive of 30-day payment terms).
- A movement to a 'Prospective' Common Fleet Percentage, inclusive of all collection activities and special projects, that is estimated for the purposes of the Budget setting process and adjusted quarterly, reflective of actual hours recorded for the relevant quarter, with Constituent Council fees amended accordingly.
- Further to the above, Clause 10 of the Policy details how the review of the Common Fleet Percentages will occur and how it will be incorporated into the newly implemented monthly billing cycles, noting a one-quarter invoicing lag is necessary to allow sufficient time for data to be reconciled, and billing adjustments to be processed. This process will allow for Constituent Councils to be billed for actual collection hours as recorded within the same financial year.
- The redefinition of the Corporate Administration Fee, calculated based on East Waste's Statutory Costs (as defined), still to be charged equally across Constituent Councils.
- More transparent and informed management of East Waste's working capital requirements.

Other proposed Policy changes of note include:

- Definitions have been updated to reflect the proposed changes to the Budget Framework, aligned to the review of the Cost Model, as well as creating consistency across all financial policies.
- Additional requirements for Administration have been included in the Budget Preparation Schedule, aligned to Constituent Council feedback, inclusive of:
 - To approach Constituent Councils in October each year to verify any known fluctuations in collection activities, or special projects scheduled to be undertaken in the upcoming financial year, to assist with the calculation of projected Common Fleet Percentages, and ensure adequate resources are available the Budget.
 - To notify Councils, in February each year, of Indicative movements in Constituent Council Common Fleet Percentages and indicative Budget increases to assist with their budgeting process.
- The inclusion of a commitment for Administration to, through each Budget Review, update the Board on projected working capital requirements, to enable the Board to assess whether the annual adopted Common Fleet Costing Charges will be sufficient to recover projected costs for the financial year, and whether surplus cash funds are available.
- An additional Clause was added in relation to Borrowings, noting Long-term assets and/or Fleet and Motor Vehicle acquisition can be funded partially, as opposed to entirely, by external loan borrowings, to provide Administration with flexibility to recommend that the Board reduce or defer new borrowings for asset upgrades or acquisitions.
- The Policy review period was amended to annually, as opposed to every four (4) years, to ensure the Policy is regularly updated to ensure it is fit for purpose.
- Minor grammatical and formatting changes.

Changes were incorporated as recommended by the Audit & Risk Management Committee, being:

- All references to 'Member Councils' were replaced with 'Constituent Councils' in line with the definitions in the East Waste Charter. The definition still notes 'Member Councils' as an alternate term, to ensure alignment to other East Waste Policies temporarily, until all references to the term 'Member Councils' are replaced.
- Definitions relating to 'Non-Constituent Councils', were replaced with the alternate term 'Non-Constituent Customers' and describe services to Non-Constituent Customers and 'Non-core activities' in line with the terminology in the East Waste Charter.

Conclusion

The revised Framework introduces a more transparent, equitable and responsive approach to allocating Common Fleet costs, managing working capital requirements, and recovering Corporate Administration costs, while also providing greater flexibility in relation to asset and fleet funding decisions. The changes will improve financial sustainability, strengthen engagement with Constituent Councils throughout the budget process, and provide the Board with improved oversight of East Waste's financial position.

Budget Framework Policy

1. Purpose

- 1.1. East Waste as a regional subsidiary seeks to be accountable in all aspects of the budget development process and meet Constituent Council expectations of transparency, clarity, consistency, responsible financial management and reporting.
- 1.2. Importantly the Policy will assist with the retention of corporate knowledge and consistency across financial years in the accounting treatment and disclosure applied to services and events undertaken by the Authority.
- 1.3. As detailed in this Policy, it is important to note that the Policy does not, and will not, abdicate from any applicable legislative or regulatory requirements (including Australian Accounting Standards where applicable). The Policy is intended to further enhance the governance structure surrounding the management and reporting of the Authority's budget activities, which are detailed in the East Waste Charter, Section 123 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

2. Background

- 2.1. Sections 51-55 of the East Waste Charter and specifically set out the annual requirements for the Development of an Annual Plan and Budget. In summary:
 - The Authority must, each financial year have an Annual Plan which supports and informs the budget.
 - The Draft Annual Plan must be provided to Constituent Councils and consented to by an absolute majority of Constituent Councils before 31 May each year.
 - The Authority must advise Constituent Councils of the proposed fees for the following Financial Year by April 1 of the preceding financial year.
- 2.2. The budget must also comply with the standards and principles prescribed by the *Local Government Act 1999* and applicable Regulations. The budget shall include budgeted financial statements, which must be presented, in a manner consistent with the Model Financial Statements.

3. Definitions

<p>Common Fleet Costing Charge</p>	<p>The charge payable by each Constituent Council for direct and administrative costs associated with waste collection, fleet maintenance, waste management administration, education and promotion activities, regulatory compliance, and debt servicing for common fleet plant and equipment activities.</p> <p>The charge is apportioned according to each Constituent Council's Common Fleet Percentage and also incorporates the financial performance target(s) set out in the Budget Framework Policy.</p>
<p>Common Fleet Percentage</p>	<p>The Common Fleet Percentage (CFP) represents the proportion of total time spent delivering the five core services to each Constituent Council undertaking household kerbside collections (waste, recycling and organics), street and reserve litter bins, and hard rubbish.</p> <p>From 1 July 2027, CFP are Calculated initially using data over the preceding 12-month calendar period, incorporating known fluctuations in Constituent Council activities, with this percentage being a projection and used as the basis for calculating the annual Common Fleet Costing Charge and Proposed Fees. CFP allocations are reviewed and updated quarterly and may also be revised where significant service variations occur, such as the introduction of a new service or the commencement of a new Constituent Council.</p>
<p>Constituent Council Share</p>	<p>As detailed in Section 57 of the East Waste Charter, all Constituent Councils hold an equal equitable ownership interest share in East Waste.</p>
<p>Corporate Administration Fee</p>	<p>Annual fee incorporating set statutory costs charged equally across all Constituent Councils. Refer to Clause 11 of this Policy titled <i>Corporate Administration Fee</i> for further detail.</p>
<p>Local Government Price Index</p>	<p>The Local Government Price Index (LGPI) measures price movements faced by Local Government in South Australia in respect of their purchases of goods and services. As the mix of goods and services purchased by Councils/Regional Subsidiaries is quite different from that typically consumed by households, overall price movements faced by Councils may differ markedly from those faced by households.</p>
<p>Model Financial Statements</p>	<p>Refers to the Model Financial Statements described in Regulation 4(3) of the <i>Local Government (Financial Management) Regulations 2011</i>.</p>
<p>Net Surplus</p>	<p>Refers to the Net Surplus as calculated on the Statement of Comprehensive Income per the Model Financial Statements.</p>
<p>Non-Constituent Customers</p>	<p>Any Council, organisation or waste related services, provided as a non-core activity (as referred to in <i>Section 1</i> of the <i>East Waste</i></p>

	<i>Charter</i>). A differential rate is to be applied to activities provided to non-Constituent Customers.
Proposed Fees	The indicative Common Fleet Costing Charge, Corporate Administration Fee, waste and processing fees (where applicable) and any other charges which the Authority intends to charge Constituent Councils in the subsequent Financial Year.

Preparation Schedule

The following timetable is to be applied annually in the development of the Annual Budget:

Month	Activity
October:	Administration to approach Constituent Councils to verify any known changes in collection activities, or special projects scheduled to be undertaken in the upcoming financial year, to assist with the calculation of projected Common Fleet Percentages, and ensure adequate resources are available the Budget.
December:	Develop Draft Annual Plan
January:	Develop Draft Annual Budget
February:	Board consideration and endorsement of Draft Annual Plan & Budget Assumptions
February:	Administration will advise Constituent Councils of Indicative movements in Constituent Council Common Fleet Percentages and indicative Budget increase
March:	Draft Annual Plan & Budget sent to Member Councils for consideration (inclusive of projected Fees)
April/May:	Member Council endorsement of Draft Annual Plan
June:	East Waste Board adoption of Annual Plan & Budget
June / July:	Member Councils formally notified of Fees and provided endorsed copy of Annual Plan.

4. Financial Targets

- 4.1. Financial Performance Target: 1% of Common Fleet Costing Charge.
- 4.2. Retention of cash reserves in line with East Waste's working capital requirements.
- 4.3. Authority to maintain a \$1 million bank overdraft facility for emergency purposes only.
- 4.4. The Authority shall remain in a positive Net Asset / Equity position at all times.

- 4.5. The Authority is to ensure it complies with the principles contained within East Waste's Charter and the Treasury Management Policy when considering the development and revision of the budget.

5. Principles

The following Principles underpin the Budget Development and budget review process:

- 5.1. Projected operating income is budgeted to ensure sufficient funds are raised to meet all projected financial obligations (operating and capital) inclusive of the 1% operating surplus, for the relevant financial year, taking into account the activities listed in the draft Annual Plan.
- 5.2. Through the Budget Review process, should the Board determine that East Waste's annual adopted Common Fleet Costing Charges will not be sufficient to recover projected costs for the financial year, or via an out-of-cycle review triggered by material cost pressures arising from significant economic disruptions and other external factors, the Board will determine whether Common Fleet Costing Charges are required to be increased to meet working capital requirements for the financial year. Any changes to Common Fleet Costing Charges are to be done in accordance with the principles set within the East Waste Charter and the *Local Government Act 1999*.
- 5.3. All expenditure decisions will align with the East Waste Annual Business Plan.
- 5.4. Zero-based budget approach is to be adopted for the development of the annual budget in order to ensure each activity allocation remains relevant for the coming year.
- 5.5. A full cost recovery model to be employed for all services and activities. Budgets will be based on meeting agreed service levels or program activity commitments.
- 5.6. The Budget is to be established and reported upon according to the following four (4) key Business Units:
- 5.6.1 **Common Fleet Activities**
Represents all direct and administrative activities associated with the delivery of waste collection, fleet maintenance, waste management administration, education and promotions activities, regulatory compliance activities and funding debt servicing obligations related to common fleet plant and equipment (across all streams). Charged in accordance with Common Fleet Percentage allocation.
- 5.6.2 **Bin Maintenance Activities**
A cost recovery service charged to each individual Council for services directly associated with bin renewal, replacement and maintenance.
- 5.6.3 **Waste Disposal Activities**
A cost recovery activity against each individual Council for disposal costs incurred. Occurs only where the Constituent Council is not invoiced directly.
- 5.6.4 **Corporate Administration**
Annual fee incorporating set statutory costs charged equally across all Member Councils. Refer to Clause 11 of this Policy titled *Corporate Administration Fee* for further detail.

6. Budget Reviews

- 6.1. Legislation requires a budget update at least twice per year and a mid-year budget review. East Waste will present to the Audit & Risk Management Committee and Ordinary Board Meeting (and subsequently Constituent Councils), quarterly budget reviews at the meetings immediately following the following period ended:
- 30 September.
 - 31 December.
 - 31 March.
- 6.2. Preparation and presentation of budget information will be consistent with the Board's requested demands to ensure users are provided with the necessary information to discharge their duties and Constituent Council reporting requirements. Budget work papers will also ensure compliance with any reporting legislative requirements relating to the presentation and timing of budget revisions conducted, whilst at the same time acknowledging and protecting the financial integrity of East Waste operating in a commercially competitive environment.
- 6.3. Through each Budget Review, Administration will update the Board on projected working capital requirements, to enable the Board to assess whether the annual adopted Common Fleet Costing Charges will be sufficient to recover projected costs for the financial year, and whether surplus cash funds are available.

7. Borrowings

- 7.1. External borrowings will be utilised (partially or in full) to fund the acquisition/construction of long-term assets deployed to provide services and not to fund or support recurrent service delivery costs.
- 7.2. Fleet and motor vehicle acquisition costs are to be funded partially or entirely via external loan borrowings. East Waste Administration will project the estimated working capital requirements in conjunction with the development of the Annual Business Plan and Budget, to allow the Board to consider whether any assessed non-committed surplus cash funds may be applied towards future asset acquisition in lieu of, or to reduce the extent of, reliance on external borrowings. An annual review of this principle, including the optimal balance between surplus utilisation and debt funding in accordance with the Treasury Management Policy and Member Council Rebate & Distribution Policy, is to be confirmed by the Board through the budget adoption process.
- 7.3. Where a fixed-term loan is utilised, it should be taken over a period equal to the expected useful life of the asset.

8. Assets & Depreciation

- 8.1. Capitalisation threshold for all assets to be set for items that cost greater than \$3,000.
- 8.2. Assets depreciation is to be set over the expected life of the assets in accordance with Australian Accounting Standards (AASB) 116 Property, Plant and Equipment. Residual values will be applied to assets where there is an estimated 'salvage or trade-in' value for the asset at the end of its expected useful life.

9. Billing

- 9.1. The Corporate Administration Fee, along with the Common Fleet Costing charge for the five (5) key services, being kerbside collection (Landfill, Recycling & Organics), hard rubbish and street and reserve litter bins), to Constituent Councils is to be processed monthly, in advance, in line with the adopted Budget, and Common Fleet Percentages.
- 9.2. All other charges to Constituent Councils are for reimbursement of costs incurred by the Authority and are to be invoiced monthly in arrears, following the completion of the reconciliation process.
- 9.3. All invoices issued to Constituent Councils have payment terms of 30 days, payable from the date of invoice issuance.

10. Review of Common Fleet Percentages

- 10.1. From 1 July 2027 (FY2028) the Common Fleet Percentages will be reviewed and updated on a quarterly basis, as opposed to annually, utilising fleet hours data analysed every three (3) months within the relevant financial year. Constituent Council collection fees will be subject to change quarterly, in line with any Common Fleet Percentage movements.
- 10.2. Administration will notify Constituent Councils of any movement to their Common Fleet Percentages, following the closure and reconciliation of the quarterly data periods.
- 10.3. Billing to Constituent Councils will be updated to reflect Common Fleet Percentage movements, incorporating a one-quarter invoicing adjustment lag period in arrears, to allow sufficient time for data reconciliation, inclusive of a final quarter reconciliation at the conclusion of the financial year.
- 10.4. Where a new service is introduced and there is limited common fleet data available for this service, an evidence-based approach shall be applied to determine the applicable Projected Common Fleet percentage to be initially applied for billing purposes.

11. Corporate Administration Fee

- 11.1. East Waste operates on a full cost recovery model for all services and activities. This is either direct recovery (e.g. disposal and processing fees) or via the common fleet percentage (e.g. collection fees and maintenance costs). The exception is the Corporate Administration Fee which is split equally (Constituent Council Share) across Constituent Councils.
- 11.2. From 1 July 2027, the Corporate Administration Fee will be representative of East Waste's statutory costs, with the total fee incorporating East Waste's budgeted costs associated with the below activities within the corresponding budget year:
 - External Audit.
 - Audit & Risk Management Committee sitting fees.
 - Independent Board Chair stipend.
 - General Manager salary package inclusive of all on-costs, and non-monetary benefits.

12. Services to Non-Constituent Customers

- 12.1 Should East Waste expand its service offering to Non-Constituent Customers in future years, additional business units may need to be established and recognised, which will be implemented in future reviews of this Policy.
- 12.2 Where applicable the provision of non-core activities to Non-Constituent Customers are to include a margin which reflects the risk, asset renewal and fair and reasonable administrative charges incurred.

13. Legislation

- Local Government Act 1999
- Local Government (Financial Management) Regulations 2011.

14. Related Documents

- Treasury Management Policy
- Council Member Rebate and Distribution Policy.

15. Review

This Policy will be reviewed on an annual basis, unless legislative change triggers an earlier review date.

Signed _____ General Manager Date _____	Signed _____ Chair of East Waste Board Date _____
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16. Document History

Version No:	Issue Date:	Description of Change:
1.0	First Issued	13 December 2018
2.0	29 April 2021	Scheduled review
3.0	February 2023	Scheduled review
4.0	June 2026	Scheduled review : Policy placed in new corporate template; Section 3 Definitions updated; Preparation schedule updated to bring forward budget planning; Section 4 – Financial Targets updated to reflect current business activity; clause 5,2 has been updated to provide clarity as to the process should East Waste’s annual adopted Common Fleet Costing Charges not be sufficient; Information within the Policy has been grouped under new clauses eg: clause 7 – Borrowings, clause 9 – Billing, clause 10 – Review of Common Fleet Charges

BUDGET FRAMEWORK POLICY	
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Type	Governance
Category	Finance
First Issued/Adopted	13 December 2018
Minutes Reference	29 April 2021
Review Period	24 Months
Last Reviewed	February 2023
Next Review	February 2025
Applicable Legislation	<ul style="list-style-type: none"> • <i>Local Government Act 1999</i> • <i>Local Government (Financial Management) Regulations 2011</i>
Related Documents	<ul style="list-style-type: none"> • East Waste Charter • East Waste Strategic Plan 2030 • East Waste Long Term Financial Plan
Consultation Undertaken	Audit & Risk Management Committee
Responsible Officer	Manager Business Services

SIGNED:



.....
General Manager

Date: 23/02/2023



.....
Chairperson

Date: 23/02/2023

Purpose

East Waste as a Regional Subsidiary seeks to be accountable in all aspects of the budget development process and meet Member Council expectations of transparency, clarity, consistency, responsible financial management and reporting.

Importantly the Policy will assist with the retention of corporate knowledge and consistency across financial years in the accounting treatment and disclosure applied to services and events undertaken by the Authority.

As detailed below it is important to note that the Policy does not, and will not, abdicate from any applicable legislative or regulatory requirements (including Australian Accounting Standards where applicable). The Policy is intended to further enhance the governance structure surrounding the management and reporting of the Authority's budget activities, which are detailed in *the East Waste Charter*, Section 123 of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Background

The *East Waste Charter* and specifically *Sections 51-55*, set out the annual requirements for the Development of an Annual Plan and Budget. In summary:

- The Authority must, each financial year have an Annual Plan which supports and informs the budget;
- The Draft Annual Plan must be provided to Constituent Councils and consented to by an absolute majority of Constituent Councils before 31 May each year;
- The Authority must advise Constituent Councils of the proposed fees for the following Financial Year by April 1 of the preceding financial year.

The budget must also comply with the standards and principles prescribed by the *Local Government Act 1999* and applicable Regulations. The budget shall include budgeted financial statements, which must be presented, in a manner consistent with the Model Financial Statements.

Definitions

<p>Common Fleet Costing Charge</p>	<p>The charge to each Member / Constituent Council which represents all direct and administrative costs associated with the delivery of waste collection, fleet maintenance, waste management administration, education & promotions activities, regulatory compliance and funding debt servicing obligations related to common fleet plant & equipment related activities. The actual charge is apportioned based on the Common Fleet Percentage of the Member Council.</p> <p>The Common Fleet Costing Charge also incorporates an additional charge to Member Councils to incorporate any Return on Revenue targets imposed by this Policy.</p>
<p>Common Fleet Costs</p>	<p>Common Fleet Costs represent all direct and administrative costs associated with the delivery of waste collection, fleet maintenance, waste management administration, education & promotions activities, regulatory compliance and funding debt servicing obligations related to common fleet plant & equipment related activities.</p>
<p>Common Fleet Percentage</p>	<p>Calculated from data collected from each East Waste Fleet Truck over the previous 12 month period. The Common Fleet Percentage (CFP) is the portion of time taken to undertake the 5 core services (household kerbside bin collections (waste, recycling & organics), street & reserve litter bins and hard rubbish) for each Member Council. This is represented as a percentage of the total time, for the previous 12 months and is used as a basis for the Common Fleet Costing Charge.</p> <p>Revised CFP allocations are applied to Common Fleet Cost charges annually or when significant variations occur (e.g. new service added or new Council commences with East Waste).</p>
<p>Constituent Council Share</p>	<p>As detailed in <i>Section 57</i> of the <i>East Waste Charter</i>, all Member Councils hold an equal equitable ownership interest share in East Waste.</p>
<p>Corporate Administration Fee</p>	<p>Set fee charged equally across all Member Councils. Refer to latter section titled <i>Corporate Administration Fee</i> for explanation.</p>
<p>Local Government Price Index</p>	<p>The Local Government Price Index (LGPI) measures price movements faced by Local Government in South Australia in respect of their purchases of goods and services. As the mix of goods and services purchased by Local Councils/Regional Subsidiaries is quite different from that typically consumed by households, overall price movements faced by Local Councils may differ markedly from those faced by households.</p>
<p>Member Councils</p>	<p>Also known as Constituent Councils, are those Councils which are referred to in <i>Section 1</i> of the <i>East Waste Charter</i>.</p>
<p>Model Financial Statements</p>	<p>Refers to the Model Financial Statements described in Regulation 4(3) of the <i>Local Government (Financial Management) Regulations 2011</i>.</p>

Budget Framework Policy

Net Surplus	Refers to the Net Surplus as calculated on the Statement of Comprehensive Income per the Model Financial Statements.
Non-Member Councils	Councils, Organisations, or waste related services, provided outside of existing Constituent Councils (as referred to in Section 1 of the East Waste Charter). A differential rate is to be applied to activities provided to non-Member Councils.
Proposed Fees	The indicative Common Fleet Costing Charge, Corporate Administration Fee, waste and processing fees (where applicable) and any other charges which the Authority intends to charge Member Councils in the subsequent Financial Year.

Preparation Schedule

The following timetable is to be annually applied in the development of the Annual Budget:

Month	Activity
Dec /January:	Develop Draft Annual Plan
January:	Develop Draft Annual Budget
February:	Board consideration and endorsement of Draft Annual Plan & Budget
March:	Draft Annual Plan & Budget sent to Member Councils for consideration
April/May:	Member Council endorsement of Draft Annual Plan
June:	East Waste Board adoption of Annual Plan & Budget
June / July:	Member Councils formally notified of Fees and provided endorsed copy of Annual Plan.

Budget Reviews

Legislation requires a budget update at least twice per year and a mid-year budget review. East Waste will present to the Audit & Risk Management Committee and Ordinary Board Meeting (and subsequently Member Councils), quarterly budget reviews at the meetings immediately following the following period ended:

- 30 September;
- 31 December; and
- 31 March

Preparation and presentation of budget information will be consistent with the Board's requested demands to ensure users are provided with the necessary information to discharge their duties and Member Council reporting requirements. Budget work papers will also ensure compliance with any reporting legislative requirements relating to the presentation and timing of budget revisions conducted, whilst at the same time acknowledging and protecting the financial integrity of East Waste operating in a commercially competitive environment.

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Financial Targets

1. Financial Performance Target: 1% of Common Fleet Costing Charge.
2. Working capital requirements: retention of cash reserves equal to funding one quarter of estimated operational expenses requirements (including loan repayments).
3. Authority to maintain a \$1m bank overdraft facility for emergency purposes only.
4. The Authority shall remain in a positive Net Asset / Equity position at all times.
5. The Authority is to ensure it complies with the principles contained within the adopted Treasury Management Policy when considering the development and revision of the budget.

Principles

The following Principles underpin the Budget Development and budget review process.

1. Projected operating income is set to ensure sufficient funds are raised to meet all financial obligations (operating and capital) for the relevant financial year, taking into account the activities listed in the Authority's draft Annual Plan.
2. Should East Waste's annual adopted Common Fleet Costing Charges not be sufficient to recover projected costs for the financial year, at each budget review, the Board will determine whether Common Fleet Costing Charges are required to be increased to meet working capital requirements for the financial year. Any changes to Common Fleet Costing Charges are to be done in accordance with the principles set within the East Waste Charter and the *Local Government Act 1999*.
3. All expenditure decisions will align with the East Waste Strategic Plan.
4. Zero-based budget approach is to be adopted for the development of the annual budget in order to ensure each activity allocation remains relevant for the coming year.
5. A full cost recovery model to be employed for all services and activities. Budgets will be based on meeting agreed service levels or program activity commitments.
6. The Budget is to be established and reported upon according to the following four (4) key Business Units:

Common Fleet Activities: Represents all direct and Administrative costs associated with the Delivery of waste collection, fleet maintenance, waste management administration, education & promotions activities, regulatory compliance activities and funding debt servicing obligations related to common fleet plant & equipment (across 5 streams). Charged in accordance with common fleet allocation.

Bin Maintenance Activities: A cost recovery service charged to each individual Council for services directly associated with bin renewal, replacement and maintenance.

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Waste Disposal Activities: A cost recovery activity against each individual Council for disposal costs incurred. Occurs only where the Member Council is not invoiced directly.

Corporate Administration: A set Administrative Fee charged equally amongst Member Councils (further detail below), along with ancillary income (interest, grants, asset sales etc).

Should East Waste expand its service offering to Constituent Councils and / or Non-Member Council customer(s) in future years, additional business units may need to be established and recognised in the next update of this Policy when required.

7. External borrowings will be used to fund the acquisition/construction of long-term assets used to provide services and not to fund or support recurrent service delivery costs.
8. Fleet and Motor Vehicle acquisition costs is to be funded via external loan borrowings. An annual review of this principle is to be confirmed by the Board through the budget adoption process.
9. Capitalisation threshold for all assets to be set for items that cost greater than \$3,000.
10. Term of loan borrowings to be taken over a period equal to the expected useful life of the asset. For any items with an indefinite useful life, the period of the loan is to be determined by the Board.
11. Assets depreciation is to be set over the expected life of the assets in accordance with Australian Accounting Standards (AASB) 116 Property, Plant and Equipment. Residual values will be applied to assets where there is an estimated 'salvage or trade-in' value for the asset at the end of its expected useful life.
12. The Corporate Administration Fee, along with the Common Fleet Costing charge for the five (5) key services, being kerbside collection (Landfill, Recycling & Organics), hard rubbish and street and reserve litter bins), to Member Councils is to be processed quarterly in advance based on the adopted Fees and Charges. All other charges to Member Councils are for reimbursement of costs incurred by the Authority which are invoiced at the end of the month incurred, following reconciliation. All invoices issued to Member Councils have payment terms of 14 days payable from the date of the invoice issued.
13. The Common Fleet Costing Charge is determined based on the servicing time of the previous financial year. Where there is a new service or incomplete data (i.e. the service was not undertaken for a full 12 months), an evidence-based approach will be used to calculate the Common Fleet percentage.
14. Where applicable the provision of non-core services to non-member Councils are to include a margin which reflects the risk, asset renewal and fair and reasonable administrative charges incurred.

Corporate Administration Fee

East Waste operates on a full cost recovery model for all services and activities. This is either direct recovery (e.g. disposal and processing fees) or via the common fleet percentage (e.g. collection fees and maintenance costs). The exception is the Corporate Administration Fee which is split equally (Constituent Council Share) across Member Councils.

For the 2022/23 budget process, the established base Administration Fee of \$255,174 was applied. For future years, the Administration Fee is to be annually increased by Adelaide Consumer Price Index percentage (Dec to Dec – AI Groups CPI). The Corporate Administrative Fee is to be reviewed through each Annual Budget process.

9.10 Review of Treasury Management Policy

Report Author:	Finance Business Partner
Responsible Officer:	General Manager
Attachments	A: Revised Treasury Management Policy B: Existing Treasury Management Policy

Purpose and Context

The East Waste Treasury Management Policy has undergone a scheduled review and is presented to the East Waste Board for adoption.

Resolution of the Audit & Risk Management Committee

Moved Ms N Caon that the Audit & Risk Management Committee having considered the revised Treasury Management Policy, Item 9.4, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. ***Provides the following feedback:***
 - a. ***That amendments requested to the Working Capital Assessment and Budget Framework Policy be reflected, as relevant, in the revised Treasury Management Policy.***
 - b. ***That an explanation be provided to the East Waste Board as to why the stipulation that surplus funds be returned to the Constituent Councils has been removed from the revised Policy.***
 - c. ***That clause 1.3 of the revised Policy be amended to read that interest rate risks and other risks are acknowledged and responsibly managed.***
 - d. ***Clause 3.2.1 be amended to remove ambiguity and to detail how short term planning differences in cash flow are managed.***
 - e. ***An additional clause be included between clauses 3.3.2 and 3.3.3 to specify that budget borrowings may not be drawn down in advance of requirements. The timing of borrowings must be aligned to the timing of the payments of the item for which the borrowing has been approved.***
 - f. ***That Administration notes that the revised Policy will require amendment should the East Waste Board approve the reinstatement of the Cash Advance Debenture.***
2. ***Recommends that the East Waste Board adopt the revised Budget Framework Policy subject to the required amendments.***

Seconded: Mr F Bell

Carried

Recommendation/s of the Administration

That the East Waste Board adopt the revised Treasury Management Policy, (Item 9.10, Attachment A, East Waste Board Meeting, 25 June 2026).

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

East Waste's Treasury Management Policy was due for scheduled review in April 2026. Administration has conducted a review of the Policy, and is presenting the revised version to the Board for adoption.

The proposed Policy has been reviewed with all amendments aligned to the proposed Budget Framework Policy (considered at a prior item) including the reinstatement of the \$1M overdraft account, being a Cash Advance Debenture (CAD) facility with the Local Government Finance Authority, in line with East Waste's historical financial policies and working capital requirements (as presented).

Additionally, all recommendations and considerations of the Audit & Risk Management Committee have been incorporated into the proposed Policy, as presented at **Attachment A** for the Board's consideration. The existing Treasury Management Policy is included at **Attachment B** for reference.

Discussion

The Treasury Management Policy has been reviewed, with a primary focus to provide greater transparency of the use of surplus funds for investment purposes while retaining Board oversight, with key amendments of note being:

- The Purpose was updated to better reflect the core intent of the Policy.
- The following statement, originally in Clause 1 – Investments, was removed from the document entirely, as it is a duplicate statement already included in East Waste Member Council Rebate & Distribution Policy, and had little relevance: *‘The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Common Fleet Collection Percentages to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.’*
- The Investment clause relating to the use surplus funds has been broadened, providing greater flexibility in the management of surplus funds, subject to Board approval.
- Investment options have been clarified to specifically recognise both 'at call' 24-hour Council Deposits and fixed-term deposits held with the Local Government Finance Authority.
- Borrowings clauses have been updated with more precise language, including the addition of financial delegations as a constraint alongside the adopted Budget and LTFP.
- The Maintaining Adequate Liquidity clause has been updated to explicitly link fund balances to East Waste's working capital requirements.
- The responsibility to monitor cash and working capital requirements is clarified, with cash continued to be monitored weekly by the Executive Leadership Team, while working capital requirements will be considered more broadly through the review of East Waste's strategic financial document and Budget Reviews.
- The Policy review date has been amended to annually, as opposed to every 4 (four) years, in line with the proposed Budget Framework Policy.
- Minor grammatical, formatting and clause numbering changes throughout.

All feedback and considerations of the Audit & Risk Management Committee have been incorporated into the Policy, including:

- Clause 1.3 was re-written to recognise that interest rate risks are acknowledged and responsibly managed.
- Clause 3.21 was updated to clarify that where borrowings may be utilised to manage short-term timing differences between operating cash inflows, it is limited to the use of East Waste's overdraft (CAD) facilities specifically.
- The inclusion of clause 3.2.3 limiting Administration's undertaking of new borrowings to fixed-rate, fixed-term amortising loans, where the Policy was previously silent. It is noted that the establishment of the CAD facility (should it be approved) is an exception to this, utilised as an overdraft facility for contingency purposes only.
- Additional clause 3.3.3 was included to specify that budget borrowings may not be drawn down in advance of requirements. The timing of borrowings must be aligned to the timing of the payments of the item for which the borrowing has been approved.

Conclusion

The proposed amendments to the Treasury Management Policy strengthen East Waste's treasury management framework by improving clarity, flexibility and alignment with current operational and financial practices. The changes provide enhanced guidance regarding investments, borrowings, liquidity management and policy governance, while ensuring the Policy remains consistent with East Waste's Budget Framework, Long-Term Financial Plan and legislative obligations.

Treasury Management Policy

1. Purpose

- 1.1 The Eastern Waste Management Authority (East Waste) is committed to operating in a financially sustainable manner, at all times. The Treasury Management Policy (the Policy) provides a framework which underpins East Waste's decision-making activities relating to the financial operations as included in the Annual Business Plan & Budget, Long-Term Financial Plan (LTFP), Fleet Asset Management Plan and associated projected actual cash receipts and outlays.
- 1.2 The Policy outlines how borrowings, where required, will be raised and how cash and investments will be managed to support East Waste's operations.
- 1.3 The Policy establishes a framework to ensure that:
 - Sufficient working capital is available as, and when required to support approved financial commitment; and
 - Interest rate risks and other risks are acknowledged and responsibly managed.

2. Scope

- 2.1 This Policy applies to all financial assets/liabilities and reserves, including finance leases.
- 2.2 The Policy does not apply to the following specific exclusions:
 - Creditors and provisions (liabilities).
 - Bank guarantees.

3. Principles

3.1 Investments

- 3.1.2 Any surplus funds that are not immediately required to meet operational expenditure needs, which have not been committed for alternate purposes either through East Waste's adopted Budget or as otherwise authorised by the Board, will be invested in accordance with this Policy.
- 3.1.3 Investments will be made in a prudent manner having regard for the prevailing economic climate, projected interest rate movements and future cash requirements.
- 3.1.4 Cash investments are to be limited to deposits held with the Local Government Finance Authority, in the form of:
 - 'At call' 24-hour Council Deposits.
 - Fixed-term deposits.

- 3.1.5 Unless it is financially advantageous to do so, the maturity date for any fixed term investments should not exceed a point in time where the funds could otherwise be applied cost effectively to defer the need to access East Waste's overdraft (Cash Advance Debenture) facilities, or to reduce future or existing external borrowings, where authorised by the East Waste Board.
- 3.1.6 All investments are to be made exercising care, diligence and skill taking into consideration:
- the purpose of the investment.
 - the likely income return and timing of income return.
 - the period in which the investment is likely to be required.
 - the cost of making and maintaining the investment.
 - an assessment on future interest rate movements.
 - the liquidity and marketability of the proposed investment.
 - an assessment of future cash flow requirements.

3.2 Borrowings

- 3.2.1 Borrowings are not a source of revenue and do not remove the need for East Waste to generate sufficient operating revenue to meet its operating requirements. However, borrowings can be an appropriate and effective means of:
- funding the acquisition or construction of long-term assets used to deliver services.
 - managing short-term timing differences between operating cash inflows and outflows through the utilisation of East Waste's overdraft (Cash Advance Debenture) facility.
- 3.2.2 East Waste manages its annual funding holistically within the constraints of the adopted Budget, LTFFP, and financial delegations.
- 3.2.3 East Waste will utilise the Local Government Finance Authority as its preferred supplier when undertaking new borrowings, and will be limited to:
- Fixed-rate Amortising Loans (for funding asset acquisition)
 - Cash Advance Debenture (as an established overdraft facility for contingency purposes only).

The Local Government Finance Authority provides significant support to the industry and applies bonus return payments to councils and subsidiaries from its profits.

- 3.2.4 All borrowings are to be made exercising care, diligence and skill in the consideration of:
- current risk profile.
 - current economic factors.
 - the period over which the funds are likely to be required.
 - expected short and long term view of interest rate trends.

- East Waste's overall debt maturity profile and mix.
- the cost of funding.
- cost differentials between fixed and variable facilities.
- the long-term capacity of repayment of loans.
- the rationale for the borrowings.
- the cost of making and maintaining the borrowing.

3.3 Authority to Borrow

- 3.3.1 In accordance with Clause 11.3 of the East Waste Charter, the East Waste Board may not delegate the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Business Plan.
- 3.3.2 Budgeted borrowings that are not drawn within the financial year of approval do not carry forward, and the delegation to borrow those funds lapses. A new borrowing limit is established as part of the subsequent year's budget process.
- 3.3.3. Budgeted borrowings may not be drawn down in advance of requirements. The timing of borrowings must be aligned to the timing of the payments of the item for which the borrowing has been approved.
- 3.3.4 In accordance with the requirements of the Local Government Finance Authority, all borrowings must be authorised by resolution of the East Waste Board, typically through the adoption of the Annual Business Plan.

3.4 Benchmarking

- 3.4.1 From time to time, at intervals of no more than every three (3) years, East Waste will undertake a market testing exercise for borrowings to compare against the Local Government Finance Authority to ensure they continue to deliver the value to the community (after taking into account all relevant factors, including bonus amounts paid and bonus discounts received).

3.5 Maintaining Adequate Liquidity

- 3.5.1 To ensure liabilities are met as they fall due and business continuity is maintained, East Waste shall maintain a suitable balance of funds held in its operating accounts on an 'at-call' basis to cover projected financial obligations, in line with East Waste's working capital requirements. These limits will be considered in the preparation of the Annual Plan and Budget, Budget Reviews, and the Long-Term Financial Plan.
- 3.5.2 East Waste's Executive Leadership Team will monitor the level of cash on a weekly basis.

4. Reporting

- 4.1 By 30 November each year, the East Waste Board will receive, through the Audit and Risk Management Committee, a report on treasury management performance measured against the criteria outlined in this Policy.

The report will highlight:

- a summary of each East Waste borrowing and investment, outlining the amount, interest rate, maturity date, and movements since the last report.
- where applicable, the proportion of borrowings on fixed and variable interest rates at the end of the reporting period.

5. Legislation

Local Government Act 1999

Local Government (Financial Management Regulations) 2011

6. Related Documents

Eastern Waste Management Authority Charter

East Waste Strategic Plan 2030

East Waste Long Term Financial Plan

Budget Framework Policy

Member Council Rebate and Distribution Policy

Australian Accounting Standards

South Australian Model Financial Statements

This Treasury Management Policy shall be reviewed by the East Waste Board annually from issue issued date, or more frequently if legislation or organisational needs change.

Signed _____ Signed _____
 General Manager Chair of East Waste Board
 Date Date

7. Document History

Version No:	Issue Date:	Description of Change:
1.0	April 2018	
2.0	April 2023	
3.0	June 2026	Scheduled policy review. Policy has been placed in new corporate format; the Scope of the Policy is included at clause 2; reference to the Cash Advance Debenture has been included throughout the Policy; headings of clauses 3.4 and 3.5 have been updated to reflect content.

TREASURY MANAGEMENT POLICY	
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Type	Governance
Category	Finance
First Issued/Adopted	April 2018
Minutes Reference	
Review Period	36 Months
Last Reviewed	April 2023
Next Review	April 2026
Applicable Legislation	<ul style="list-style-type: none"> • <i>Local Government Act 1999</i> • <i>Local Government (Financial Management) Regulations 2011</i>
Related Documents	<ul style="list-style-type: none"> • East Waste Charter • East Waste Strategic Plan 2030 • East Waste Long Term Financial Plan • Budget Framework Policy • Member Council Rebate & Distribution Policy
Consultation Undertaken	Audit & Risk Management Committee
Responsible Officer	Manager Business Services

SIGNED:



.....
General Manager

Date: 5/05/2022



.....
Chairperson

Date: 5/05/2022

Purpose

The Eastern Waste Management Authority (East Waste) is committed to operating in a financially sustainable manner, at all times. The Treasury Management Policy (the Policy) provides a framework which underpins East Waste's decision-making activities relating to the financial operations as included in the Annual Budget, Long Term Financial Plan (LTFP) and associated projected actual cash receipts and outlays.

The Policy outlines how the required borrowings will be raised, if relevant, and how cash and investments will be managed to fund East Waste operations.

The Policy establishes a framework to ensure that:

- Funds are available as, and when required to support approved outlays; and
- Risks around Interest rates and other risks are acknowledged and responsibly managed.

This policy applies to all financial assets/liabilities and reserves, including finance leases except for the following specific exclusions:

- Creditors and Provisions (liabilities); and
- Bank Guarantees.

Definitions

Refer to the East Waste Charter, Budget Framework Policy and Australian Accounting Standards for definitions where required.

Principles

1. Investments

The following statement is made with consideration to, and in accordance with, the requirements of Clause 61 of the East Waste Charter – Distributions to Constituent Councils. Clause 61 states:

'The Authority must pay or credit surplus funds to the Constituent Councils in proportion to their Common Fleet Collection Percentages to the extent the Board determines the Authority can afford to pay having regard to future expenditure the Business Plan anticipates be incurred.'

Any surplus funds that are not immediately required to meet operational expenditure needs which cannot be applied to reduce existing borrowings will be invested in accordance with this Policy.

Investments will be made in a prudent manner having regard for the prevailing economic climate, projected interest rate movements and future cash requirements.

Cash investments are to be limited to:

- Deposits with the Local Government Finance Authority.

Unless it is financially advantageous to do so, the maturity date for fixed term investments should not exceed a point in time where the funds could otherwise be applied cost effectively to either defer the need to raise new borrowings, access existing overdraft facilities or reduce the level of East Waste's existing borrowings.

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All investments are to be made exercising care, diligence and skill taking into consideration:

- The purpose of the investment.
- The likely income return and timing of income return.
- The period in which the investment is likely to be required.
- The cost of making and maintaining the investment.
- An assessment on future interest rate movements.
- The liquidity and marketability of the proposed investment; and
- An assessment of future cash flow requirements.

2. Borrowings

Borrowings are not a form of revenue and do not replace the need for East Waste to generate sufficient operating revenue to service operating requirements. Borrowings are a useful and valid mechanism to:

- acquire and / or construct new long-term assets that will be used to provide services; and
- manage short-term timing differences between operating cash inflows and outflows.

East Waste manages its funds holistically within the constraints of the Annual Business Plan adopted Budget and LTFFP.

All borrowings are to be made exercising care, diligence and skill in the consideration of:

- Current risk profile.
- Current economic factors.
- The period over which the funds are likely to be required.
- Expected short and long term view of interest rate trends.
- East Waste's overall debt maturity profile and mix.
- Cost of funding.
- Cost differentials between fixed and variable facilities.
- Long term capacity of repayment of loans.
- The rationale for the borrowings; and
- The cost of making and maintaining the borrowing.

3. Authority to Borrow

In accordance with Clause 11.3 of the East Waste Charter, the Board may not delegate the power to borrow money or obtain any other form of financial accommodation unless authorised in an Annual Business Plan.

Budgeted borrowings that are not taken out within the financial year for which they are approved are not carried over into the following year and the delegated authority to borrow those funds lapse. A new budgeted borrowings limit is then established as part of the following year's budget.

As per the requirements of the Local Government Finance Authority, the East Waste Board must authorise all borrowings by way of resolution (typically through the endorsement of the Annual Business Plan).

4. Quotations

East Waste will utilise the Local Government Finance Authority as its preferred supplier when undertaking new borrowings or investment of surplus cash. The Local Government Finance Authority provides significant support to the industry and applies bonus return payments to Councils and Subsidiaries from its profits.

From time to time, at intervals of no more than every three (3) years, East Waste will undertake a market testing exercise for borrowings to compare against the Local Government Finance Authority to ensure they continue to deliver the value to the community (after taking into account all relevant factors, including bonus amounts paid and bonus discounts received).

5. Maintain Sufficient Funds to Meet Liabilities

To ensure liabilities are met as and when they fall due and to maintain business continuity, East Waste shall maintain a suitable balance of funds held in any operating account on an 'at call' basis to meet current period projected financial obligations. These limits shall be considered when preparing the Annual Plan and Budget, Budget Reviews and LTFFP.

East Waste's Executive Management team will monitor the level of cash and working capital requirements on a weekly basis.

6. Reporting

On or before 30 November each year, the East Waste Board shall receive, via the Audit and Risk Management Committee, a specific report regarding treasury management performance relative to the criteria specified in this policy.

The report will highlight:

- The amount of each East Waste borrowing and investment, its interest rate, maturity date and any changes in holdings since the previous report; and
- If applicable, the proportion of fixed interest rate and variable interest rate borrowings at the end of the reporting period.

9.11 Draft Eastern Waste Management Authority Board of Management Code of Conduct

Report Author	Executive Administration Officer
Responsible Officer	General Manager
Attachments	A: Draft Board of Management Code of Conduct

Purpose and Context

The East Waste Charter, at Clause 39.3, requires the East Waste Board to prepare and adopt a Code of Conduct to be observed by Directors. The purpose of this report is to present the East Waste Board of Management with a proposed Code of Conduct (Code) for consideration and to seek the Board's formal adoption of the Code as the behavioural standard to be observed by all Board Members and Board Committee Members of the Eastern Waste Management Authority (East Waste).

The proposed Code aligns with the requirements of the *Local Government Act 1999* (Act), the East Waste Charter and contemporary good governance practices.

Recommendation

That the East Waste Board:

- 1. notes that Members of the East Waste Board are subject to statutory duties under the Local Government Act 1999, the requirements of the East Waste Charter, and relevant regulations and East Waste policies.***
- 2. adopts the Eastern Waste Management Authority Board Code of Conduct, as set out in Item 9.13, Attachment A, East Waste Ordinary Board Meeting, 25 June, 2026, as the principal conduct standard for all East Waste Board Members and Board Committee Members.***
- 3. notes that failure by a Member to comply with the Code constitutes misconduct and that breaches may be dealt with under the Local Government Act 1999, the Independent Commission Against Corruption Act 2012, and the Ombudsman Act 1972, as provided in the Code.***
- 4. authorises the Administration to make changes of a minor technical or formatting nature to the Eastern Waste Management Authority Board Code of Conduct.***

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

East Waste is a regional subsidiary established under Schedule 2 of the *Local Government Act 1999* and governed by the East Waste Charter (Charter) as approved by the Constituent Councils.

The Act and Charter together:

- Establish the Board of Management as the governing body of East Waste.
- Set out the roles, powers and responsibilities of the Board and its Members.

Board Members and Board Committee Members of East Waste are public officers and are required to comply with:

- the *Local Government Act 1999* and associated regulations.
- other applicable legislation, including the *Independent Commission Against Corruption Act 2012*, *Ombudsman Act 1972* and *Criminal Law Consolidation Act 1935*.
- the East Waste Charter and relevant policies and procedures.

To ensure these obligations are clearly articulated in a single, practical document, a Code of Conduct has been developed (**refer Attachment 1**) for Board Members and Board Committee Members. The Code is expressly supplementary to legal requirements set out in the *Local Government Act 1999* and other relevant legislation.

To support clear and consistent compliance with these statutory and Charter obligations, and to reflect contemporary governance practice (including approaches used by other regional subsidiaries such as the Eastern Health Authority), a dedicated East Waste Board of Management Code of Conduct has been prepared.

Discussion

It is acknowledged that the majority of Board Members are employed in roles that classify them as public officers and therefore are subject to Behavioural Standards under the Act - (s 75E for Council Members and s120A for employees).

In drafting the proposed Code, care has been taken to avoid imposing new or onerous obligations, and instead to consolidate and reflect existing legislative and policy requirements. The Code applies only to a Member's conduct while they are performing functions or engaging in activities on behalf of East Waste.

Part 1

Part 1 of the proposed Code aligns with the member integrity provisions Part 4, Division 1 of the Act; noting that the following clauses apply to Board Members of a subsidiary as though they were a member of a council:

1. **Subdivision 2** which specifies the requirements for:
 - lodging Primary and Ordinary Returns (s65 and s66).
 - not providing false or misleading information (s69).
2. **Subdivision 4** which species the requirements for managing conflicts of interest.

Board Member's duties of honesty as prescribed in Schedule 2, Part 3, Clause 34 of the Act are incorporated into the Code.

Part 2

Part 2 provides that failure to comply with with the Code constitutes misconduct. Breaches involving statutory matters under the *Local Government Act 1999* will be investigated under that legislation.

Alleged breaches may be referred to the Ombudsman under section 263 of the *Local Government Act 1999* or to the Independent Commission Against Corruption. It should be noted that the Member integrity, complaints, investigations and proceedings detailed in Chapter 13, Part 1 of the Act apply to Board members as though they are members of a council.

Alleged breaches of the Code may be referred to the Ombudsman under section 263 of the *Local Government Act 1999* or to the Independent Commissioner Against Corruption.

If the Ombudsman finds a breach:

- the Ombudsman's report must be provided to a public meeting of the Board; and
- the Board must pass resolutions to give effect to any recommendations within two ordinary meetings of receiving the recommendations.

Failure to comply with a finding of inappropriate behaviour is itself grounds for a further complaint under the Code and may result in a complaint being lodged with the South Australian Civil and Administrative Tribunal as detailed in s264 – s267 of the Act.

Statement of Adoption and Acknowledgement

Each Member is asked to sign an Acknowledgement stating that they have read, understand and will comply with

- the Code of Conduct.
- the East Waste Charter.
- their statutory duties under the *Local Government Act 1999*.

Copies of the adopted Code will be provided to members on commencing their duties with the East waste Board or Board Committee (as relevant). Copies will also be available on the East Waste website.

Conclusion

The Code, as presented as **Attachment A** to this report:

- establishes a clear, tailored and publicly accessible standard for Member conduct.
- consolidates expectations in a single document aligned with relevant legislation.
- supports good governance, probity and transparency.

It is recommended that the East Waste Board adopt the proposed East Waste Board of Management Code of conduct subject to amendments as requested.



**Eastern Waste
Management Authority
Board
Code of Conduct**

June 2026

Purpose

This Code of Conduct (Code) is to be observed by all Board Members and Board Committee Members of the Eastern Waste Management Authority, trading as East Waste.

East Waste is a regional subsidiary established by Adelaide Hills Council, the City of Burnside, Campbelltown City Council, the City of Mitcham, the City of Norwood, Payneham & St Peters, the City of Prospect, the City of Unley and the Corporation of the Town of Walkerville for the purpose of the collection and disposal of waste, primarily within the areas of the Constituent Councils.

Board and Committee Members must comply with the provisions in this Code in carrying out their functions as public officials. It is the individual's responsibility to ensure they are familiar with, and comply with, the standards in the Code at all times.

The standards set forth in this Code are supplementary to any legal requirements outlined in the *Local Government Act 1999* or any other applicable Acts or Regulations relevant to the Board and Committee Members of East Waste in carrying out their functions, roles and responsibilities.

Part 1 – Behavioural Code

The following behaviour is considered essential to upholding the principles of good governance in the subsidiary.

1. *General Behaviour*

Members must:

- 1.1 at all times act with reasonable care and diligence in the performance and discharge of official functions and duties.
- 1.2 at all times act honestly in the performance and discharge of official functions and duties.
- 1.3 act in a way that generates Constituent Council, and community trust and confidence in East Waste.
- 1.4 act in a reasonable, just, respectful and non-discriminatory way with all people.
- 1.5 ensure that personal comments to the media or other public comments on East Waste Board decisions and other relevant matters clearly indicate that it is a private view and not that of the Board or Committee.

2. *Responsibilities as a Member*

- 2.1 A Member must take reasonable steps to inform themselves about the relevant aspects of the operations and activities.
- 2.2 Comply with all East Waste policies, codes and resolutions.
- 2.3 Comply with East Waste's Procedures at Meetings and the Chair's rulings to maintain order and efficiency.
- 2.4 Make decisions on merit, based on evidence and the Charter's purposes; consider risk, cost, benefit, and community outcomes.
- 2.5 Deal with information received in their capacity as a Member in a responsible manner.
- 2.6 Endeavour to provide accurate information to the Board, the Constituent Councils and the public at all times.
- 2.7 Uphold collective responsibility for resolutions once made, while ensuring any lawful dissent is correctly recorded at the time.

3. *Duties of Board Members*

- 3.1 A Member or former Member must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a Member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to East Waste or its Constituent Councils.
- 3.2 Not release or divulge information that the Board or Committee has ordered be kept confidential, or that the Member should reasonably know is information that is confidential, including information that is considered by the Board in confidence.
- 3.3 Not exercise or perform, or purport to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform.
- 3.4 Manage records in accordance with the *State Records Act 1997* and East Waste policy.
- 3.5 Direct media enquiries to the authorised spokesperson unless otherwise resolved by the East Waste Board.
- 3.6 Not attempt to improperly direct a member of East Waste staff to act in their capacity as a Local Government subsidiary employee for an unauthorised purpose.

4. *Conflicts of Interest*

In performing and discharging duties Members must:

- 4.1 Not misuse position or information to gain an advantage for themselves or another, or to cause detriment to East Waste or another.
- 4.2 Disclose and appropriately manage interests that conflict, or may reasonably be perceived to conflict, with East Waste's interests in accordance with Section 75(D) of the *Local Government Act 1999*.
- 4.3 Submit Returns to East Waste in accordance with Section 72 of the *Local Government Act 1999*.
- 4.4 Not solicit any gifts or benefits that could reasonably be seen to create a sense of obligation on the part of the Member or influence the Member in the performance of their duties.

Part 2 – Misconduct of Members

Failure by a Member to comply with this Code constitutes misconduct. The provisions within this Code may refer to statutory matters under the *Local Government Act 1999*. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Code to the Chair of the East Waste Board, the General Manager, the Ombudsman or the Office for Public Integrity. Alleged breaches of this Code made to the Board or to the Office for Public Integrity may be referred to the Ombudsman for investigation under section 263 of the *Local Government Act 1999*, or by the Independent Commissioner Against Corruption.

A report from the Ombudsman that finds a Member has breached the Code of Conduct must be provided to a public meeting of the Board. The Board must pass resolutions that give effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Board following the receipt of such recommendations.

A failure to comply with a finding of inappropriate behaviour (by the Board, independent investigator or Ombudsman) under this Code is also grounds for a complaint under this Code.

A complaint against a Member may also be lodged with the South Australian Civil and Administrative Tribunal under section 264 of the *Local Government Act 1999* on the ground:

- a) that the Member has contravened or failed to comply with an integrity provision.
- b) of alleged misbehaviour, repeated misbehaviour or serious misbehaviour by the Member.
- c) that the Member has contravened or failed to comply with an order of the Ombudsman.

Any person who believes a breach of this Code of Conduct may have occurred is encouraged to bring details to the attention of the General Manager of East Waste via telephone (8347 5111) or email leonard@eastwaste.com.

A disclosure of public interest information can be made in accordance with East Waste's Public Interest Disclosure Procedure.

Part 3 - Definitions

In this Code unless the contrary intention appears, these words have the following meaning:

East Waste means the Eastern Waste Management Authority.

Committee means any Committee established by the East Waste Board which is governed by **Terms of Reference**.

East Waste Board means the Directors of the Board of Management of the Eastern Waste Management Authority.

Member means a Director of the East Waste Board or a member of a Committee established by the East Waste Board.

Misconduct means contravention of this Code of Conduct by a Member, while acting in their capacity as a Member, that constitutes a ground for disciplinary action against the Member.

Part 4 – Applicable Legislation

Independent Commissioner Against Corruption Act 2012

Ombudsman Act 1972

Local Government Act 1999

Criminal Law Consolidation Act 1935.

Part 5 – Further Information

Members of the public may access this Code on East Waste's website (www.eastwaste.com) and at East Waste's offices at 1 Temple Court, Ottoway.

For any questions regarding this Code, please contact the General manager of East Waste via telephone (8347 5111) or e-mail (leonard@eastwaste.com).

Part 6 – Statement of Adoption

This Code of Conduct was adopted by the East Waste Board on

East Waste may at any time alter this Code or substitute a new Code of Conduct.

Acknowledgement

I, [Name], a Member of the East Waste Board, acknowledge that I have read, understand and will comply with the Eastern Waste Management Authority Board Code of Conduct, the East Waste Charter, and my statutory duties under the *Local Government Act 1999*.

Signature: _____ Date: _____

EastWaste



1 Temple Court
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East Waste - Eastern Waste
Management Authority



eastwaste.com.au

9.12 Re-appointment of the Independent Chair of the East Waste Board

Report Author Executive Administration Officer

Attachments Nil.

Purpose and Context

For the East Waste Board to consider the application by Mr Fraser Bell for reappointment as the Independent Chair of the East Waste Board in accordance with Clause 21.1.2 of the East Waste Charter (Charter) and Schedule 2 of the *Local Government Act 1999*.

Recommendation

That the East Waste Board:

1. **Notes the provisions of Schedule 2 of the *Local Government Act 1999* and the East Waste Charter governing the composition of the East Waste Board and the appointment of an Independent Chair to the East Waste Board.**
2. **Endorses the reappointment of Mr Fraser Bell as the Independent Chair in accordance with clause 21.1.2 of the East Waste Charter, for a further term of three years, ending on 1 January 2030, and refers this recommendation to the Constituent Councils for an absolute majority appointment as required.**

Strategic Link

Objective: 5. Provide Leadership

Strategy: 5.4 Quality & Transparent Corporate (Governance & Finance) activities.

Background

East Waste is a regional subsidiary established under Schedule 2 of the *Local Government Act 1999* (Act) and governed by its Charter. Schedule 2, Part 20, Clause (1) of the Act stipulates that:

‘Subject to the charter of the subsidiary, the membership of the board of management of a regional subsidiary will be determined by the constituent councils and may consist of, or include, persons who are not a member of a council’.

The East Waste Charter provides that subject to the provisions of Clauses 33.1 and 33.2 of the East Waste Charter the East Waste Board shall appoint *‘one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a three-year term (and at the expiration of the term is eligible for re-appointment) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:*

- (a) corporate financial management and/or;*
- (b) general management and/or;*
- (c) waste management and/or;*

- (d) *transport fleet management and/or;*
- (e) *public sector governance;*
- (f) *marketing and/or;*
- (g) *economics and/or;*
- (h) *environmental management.'*

The Charter is silent on the number of terms the Independent Chair may serve.

Following Constituent Council approvals, Mr Fraser Bell was appointed as Independent Chair in February 2020 and has since served two subsequent terms, totalling seven (7) consecutive years. Mr Bell has formally applied to be reappointed for a further three year term as Independent Chair. This term, if approved would conclude on 1 January 2030.

Discussion

Mr Bell has written to the General Manager seeking reappointment based on his continued capacity to provide independent leadership and effective governance to the East Waste Board. Mr Bell has recently retired from practising law with more than 25 years' experience in environmental and waste management law, advising both local government and the waste industry. He has chaired the East Waste Board since 2020 and, during that time, has demonstrated:

- Independence and effectiveness consistent with the East Waste Charter's requirements for an Independent Chair.
- Strong governance capability, including oversight of strategy, financial sustainability, risk and compliance within the statutory and Charter framework.
- Deep sector knowledge and constructive stakeholder engagement relevant to East Waste's service delivery and strategic direction.

Further details on Fraser's broad experience is available via his LinkedIn profile:

<https://www.linkedin.com/in/fraser-bell-3a411133/>

Conclusion

Mr Bell's application for reappointment as Independent Chair is consistent with the requirements of Clause 21.1.2 of the East Waste Charter and Schedule 2 of the *Local Government Act 1999*. His demonstrated independence, sector expertise and governance capability support reappointment for a further three-year term.

9.13 Information Report

Report Author	Executive Administration Officer – Independent Consultant
Attachments	<p>A: Unconfirmed Minutes of the A & RMC Meeting of 10 June 2026</p> <p>B: Unconfirmed Minutes of the GMPRC Meeting of 30 April 2026</p> <p>C: Unconfirmed Minutes of the GMPRC Meeting of 19 June 2026</p> <p>D. East Waste Contract Register</p> <p>E: Outstanding Resolutions Register</p> <p>F: Annual Plan Progress Report</p> <p>G: Annual Reporting Calendar</p>

Purpose and Context

The Information Report presents updates on standing items and other items that are relevant to the business of the East Waste Board. The matters have been listed in one report as an efficiency as Administration recommend that the East Waste Board receives and notes the information contained within the report. This does not limit the ability of the Board to remove a specific item from this report and resolve that a particular action be taken.

Recommendation

That the East Waste Board receives and notes the Information Report as at 25 June 2026.

Strategic Link

Objective 5. Provide Leadership

Strategy 5.4 Quality and transparent Corporate (Governance and Financial) activities.

Background

The Information Report is a Standing Item that presents information that the Administration recommend that the East Waste Board receive and note.

Discussion

The following items are presented for the information of the East Waste Board:

- 1. Unconfirmed Minutes of the Audit & Risk Management Committee Meeting held on 10 June 2026**

Clause 31 of the Eastern Waste Management Authority Charter requires the Authority to establish an Audit Committee which is to be governed by the provisions of Schedule 2, Clause 30 of the *Local Government Act 1999* (Act).

The functions of the Audit & Risk Management Committee are to include:

- (a) reviewing annual financial statements to ensure that they provide a timely and fair view of the state of affairs of the subsidiary; and
- (b) liaising with external auditors; and
- (c) reviewing the adequacy of the accounting, internal auditing, reporting and other financial management systems and practices of the subsidiary on a regular basis.

The (unconfirmed) Minutes of the East Waste Audit & Risk Management Committee Meeting of 10 June 2026 are included at **Attachment A** of this report for the Board's information and consideration.

2. Unconfirmed Minutes of the General Manager Performance Review Committee Meeting of 19 June 2026

The Terms of Reference for the General Manager Performance Review Committee (the GMPR Committee) require that, each year, the Committee and the General Manager jointly develop a Performance Plan. This plan must include Key Performance Indicators (KPIs) aligned with East Waste's Business Plan, which will serve as the basis for the subsequent performance review.

It is noted that Clause 21.3.1 of the General Manager's contract of employment states that the review of the total employment cost package may take into account the achievement of agreed key performance indicators and other performance goals.

At its meeting of 30 April 2026 the GMPR Committee determined the process for finalising the General Manager's:

- 2026/ 27 Key Performance Indicators.
- Performance Review.
- Remuneration Review.

The minutes of this meeting are included at **Attachment B**.

The GMPR Committee conducted the General Manager's 2025/26 Performance Review at its meeting of 19 June 2026. The unconfirmed public minutes of this meeting are included at **Attachment C**, noting a recommendation pertaining to the outcome of the performance review is included in this agenda at Item 10.1 for the East Waste Board's consideration.

3. East Waste Contract Register

A copy of the current East Waste Contract Register as been included in this report (**refer Attachment D**).

4. Outstanding Resolutions Register

The presentation of the Outstanding Resolutions Register to the East Waste Board is considered a good governance practice. The Outstanding Resolutions Register (**refer Attachment E**) depicts the status of past resolutions of the Board for the period to 20 June 2026.

At this time, as indicated on the attached Register, activities associated with six (6) resolutions remain ongoing, with the status noted in the far right column.

Three resolutions have been updated to 'complete' with comments included in the far right column.

5. Annual Plan Progress Report

This report provides the East Waste Board with an update on the implementation of the activities endorsed in the East Waste 2025/26 Annual Plan.

The attached matrix (**Attachment F**) provides a snapshot update as to the progress of the Annual Plan activities as of 20 June 2026.

6. Annual Reporting Calendar

This report provides the Board with an update of the progress of East Waste's key reporting requirements via the Annual Reporting Calendar.

The attached Annual Reporting Calendar (**Attachment G**) provides a snapshot update of the progress of East Waste's key legislative and governance reporting requirements for the 2026 calendar year.

This is a standing item on the Agenda.



**Eastern Waste Management Authority
Ordinary Audit & Risk Management Committee**

Minutes

Wednesday 10 June 2026

Minutes

Eastern Waste Management Authority Ordinary Meeting of the Audit & Risk Management Committee

Meeting held on Wednesday 10 June 2026 at 4.00 pm,
HenderCare, Level 3/81 Flinders Street, Adelaide.

Welcome

The Chair, Mrs E Hinchey, declared that a quorum was present and opened the meeting open at 3.59 pm.

1. Acknowledgement of country

With the opening of the meeting the Chair stated:

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are as important to the living Kurna people today.

2. Present

Directors:

Mrs E Hinchey	Independent Chair
Mr F Bell	East Waste Board Chair
Mr A Wiguna	East Waste Board Representative
Ms L Green	Independent Member
Ms N Caon	Independent Member

In Attendance:

Mr L Leyland	General Manager
Ms K Vandermoer	Acting Manager Business Services
Mr A Velloor	Finance Business Partner
Ms V Davidson	Executive Administration Officer; Independent Consultant

3. Apologies

Nil.

4. Disclosures of interest

Nil.

5. Confirmation of the minutes

Moved Ms L Green that the Minutes of the East Waste Audit and Risk Management Committee meeting held on 22 April 2026 be confirmed as a true and correct record.

Seconded: Ms N Caon

Carried

6. Matters arising from the minutes

Nil.

7. Questions Without Notice

Nil.

8. Presentations

Nil.

9. Reports

9.1 General Manager's Update

The General Manager provided the Audit & Risk Management Committee with an overview of organisational performance, strategic priorities, key risks, and emerging opportunities. The report is intended to support informed decision-making, ensure appropriate governance oversight, and align management activities with East Waste's strategic direction.

Discussion

The General Manager presented the Committee with information reflecting the approximate operational impact should all Constituent Councils wish to roll out FOGO, using both the current scenario and also the scenario should weekly opt outs not be required. Adelaide Hills Council have indicated that they wish to fully roll out FOGO in 2028. The Committee expressed concern about the impact on resources and questioned whether the Administration had considered whether the level of service requested was manageable – human resources, assets, frequency of pick-ups etc. Administration was requested to give consideration as to the practicability of the proposed FOGO roll out going forward and present a fulsome scenario to the East Waste Board.

The Committee enquired as to where the concept of moving from quarterly to monthly invoicing had arisen and management advised that it was requested by the Constituent Councils.

The General Manager outlined the role of LGA Procurement in coordinating tender processes for East Waste and provided an update of the matters currently out for tender. Concern was expressed that the contract with Peats Soil and Garden Supplies remains unresolved. The Committee was advised that the existing contract is legally binding and that only a minor issue is yet to be finalised.

The Committee noted that their previous request for further information regarding East Waste's insurance coverage had been provided and sought assurance that damage to third party property is covered under the existing insurance policies.

Resolution

Moved Mr F Bell that the Audit & Risk Management Committee:

1. Receives and notes the General Manager's Report as presented on 10 June 2026.
2. Provides the following feedback. Administration is requested to:
 - a. give consideration as to the practicability of the proposed FOGO roll out going forward and present a fulsome scenario to the East Waste Board for their consideration and comment.
 - b. confirm with East Waste's insurers that East Waste is covered for private property damage arising from fires.
3. In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the General Manager append the following documents, as tabled at the Audit & Risk Committee Meeting of 10 June 2026, to the minutes of this meeting:
 - a. Item 9.1 – Appendix 1- Updated FOGO Spreadsheet.

Seconded: Ms N Caon

Carried

9.2 2026/27 Annual Plan & Budget

To present the Audit & Risk Management Committee (Committee) with feedback received from Constituent Councils on East Waste's draft 2026/27 Annual Plan and Budget, to inform the Committee's recommendation to the Board for adoption.

Discussion

The Committee noted that an Absolute Majority of the East Waste Constituent Councils have approved the East Waste Annual Plan and recommend the draft East Waste Plan and Annual Budget be presented to the East Waste Board for adoption.

The Committee reviewed the feedback on the Annual Plan provided by the Constituent Councils and sought clarification on the provisions within the Service Level Agreements for recording discretionary services to which the Constituent Councils had agreed.

There was discussion as to whether the amounts allocated in the 2026/27 Budget for fuel were adequate given the ongoing fuel shortages. The General Manager advised the Committee that he is in regular communication with the CEOs of the Constituent Councils regarding the price of fuel and the impact of fuel costs on the business. The Committee requested that future budgets include greater detail on how fuel cost estimates are calculated.

The Committee also expressed concern about the impact of the March Consumer Price Index (CPI) of 4.9%, as this will affect wage increases under the Enterprise Agreement.

The Committee requested that the risks associated with the increased cost of fuel and increased cost of wages beyond the budgeted 3.5% be highlighted to the Board.

Resolution

Moved Ms L Green that the Audit and Risk Management Committee:

1. notes that in accordance with clause 53.3 of the East Waste Charter that an Absolute Majority of East Waste's Constituent Councils have approved the East Waste 2026/27 Annual Plan (*Item 9.2, Attachment B, Audit & Risk Management Committee Meeting 10 June 2026*).
2. requests that page 30 of the Annual Plan be amended to include the missing strategy at #4.
3. recommends that the East Waste Board notes the following matters:
 - a) that the fuel budget documented in the 2026/27 Budget is potentially inadequate due to the current rate of fuel.
 - b) that the wages budget documented in the 2026/27 Budget is potentially inadequate as the March Consumer Price Index was forecast at 3.5% but was 4.9%.
4. give due consideration to amending the 2026/27 Budget to reflect increased fuel and wages costs.
5. recommends that the East Waste Board, having considered the need to amend the 2026/27 Budget, adopts the draft East Waste 2026/27 Annual Plan and Budget, as provided in Attachment A (*Item 9.2, Audit & Risk Management Committee Meeting 10 June 2026*) subject to the minor amendments as requested by the Committee.

Seconded: Mr F Bell

Carried

9.3 East Waste Working Capital Assessment

To inform the East Waste policy updates, specifically the Treasury Management, Rebate and Distribution and Budget Framework, it was necessary to conduct a review into the appropriate level of working capital to be held by East Waste. The methodology and considerations behind the outcome of this review are presented to the Audit & Risk Management Committee for consideration and comment prior to presentation to the East Waste Board for adoption.

Discussion

The General Manager presented a working capital assessment proposing that East Waste hold six weeks of working capital.

The Committee recommended that the proposal be amended to reflect that as part of each formal Budget Review, should the end of year cash holdings be forecast to be in excess of six weeks.

The Committee suggested that Administration monitor the cash balance over the next 12 months, paying attention to the daily cash balance and at the next review of this policy

present a report to the Committee reflecting the minimum and maximum daily cash balances.

The timeliness of Constituent Council payments was discussed, noting that payment terms have been extended from 14 to 30 days.

Administration intends seeking permission from the East Waste Board to reinstate the Cash Advance Debenture (CAD) from the Local Government Finance Authority at the June 2026 meeting. The Chair provided an overview of the history of East Waste's CAD as a treasury management strategy.

Mr A Veloor left the meeting at 5.17 pm.

Mr A Veloor returned to the meetings at 5.20 pm.

Resolution

Moved Ms N Caon that the Audit & Risk Management Committee having considered the Working Capital Assessment, Item 9.3, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. Provides the following feedback:
 - a) That Administration monitor the cash balance over the next 12 months, paying attention to the daily cash balance and at *the next review of this policy* present a report to the Committee reflecting the minimum and maximum daily cash balances.
 - b) The Working Capital Assessment be amended to reflect that a recommendation on expenditure / dispersion would be put to the Board as part of each budget review if the end of financial year cash holdings are forecast to be in excess of six weeks.
 - c) Potential rebates to Constituent Councils should be reflected in East Waste's Long Term Financial Plan.
2. Recommends that the East Waste Board adopt the recommended six-week working capital position.
3. Recommends that the East Waste Board approve reinstatement of the \$1million Cash Advance Debenture.
4. In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the General Manager append the following documents, as tabled at the Audit & Risk Committee Meeting of 10 June 2026, to the minutes of this meeting:
 - a) Item 9.3 – Appendix 1 – Working Capital Assessment — Supporting Cash Flow Analysis.
 - b) Item 9.3 – Appendix 2 – Cash Advance Debenture (CAD) Facility — Additional Information.

Seconded: Mr F Bell

Carried

9.4 Review of Budget Framework Policy

The East Waste Budget Framework Policy has undergone a scheduled review and was presented to the Audit & Risk Management Committee for consideration and comment prior to presentation to the East Waste Board for adoption.

Discussion

The Committee noted that the East Waste Board has not yet approved the Working Capital Assessment (WAC) presented at Item 9.3 of this agenda. As such the revised Budget Framework Policy does reflect the WAC.

The Committee sought an explanation as to timeframes applied for calculating invoices. Previously invoices were calculated on costings from the previous 12 months. This resulted in significant changes to invoices in the current financial year. The Constituent Councils requested monthly invoicing to achieve a more sensitive adjustment. The intricacies of the cost recovery method were discussed, with emphasis on ensuring that only users of services should pay for the service and that these costings should be stipulated within the individual Service Level Agreements.

Resolution

Moved Ms Caon that the Audit & Risk Management Committee having considered the revised Budget Framework Policy, Item 9.4, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. Provides the following feedback:
 - a. Requests that the term 'Member Councils' be amended to 'Constituent Councils' to reflect the terminology of the East Waste Charter.
 - b. Requests that the references to Services to Non-Constituent Councils be amended to 'Non-core Activities' to reflect the terminology of the East Waste Charter.
 - c. Requests that the term 'Non-Constituent Councils' be amended to reflect the definition provided at clause 3 of the revised Budget Framework Policy.
 - d. That clause 10 and clause 11.2 of the revised Policy, 'Review of the Comment Fleet Charges' be amended to reflect that this clause takes effect from 1 July 2027.
2. Recommends that the East Waste Board adopt the revised Budget Framework Policy inclusive of the amendments as requested by the Committee.

Seconded: Ms L Green

Carried

9.5 Review of Treasury Management Policy

The East Waste Treasury Management Policy has undergone a scheduled review and was presented to the Audit & Risk Management Committee for consideration and comment prior to presentation to the East Waste Board for adoption.

Discussion

The Committee noted a lack of a reference to risks associated with variable and fixed interest rates in the revised Policy. Current practice is to borrow on a fixed rate unless the East Waste Board otherwise approves. The Committee requested that clause 1.3 of the revised Policy be amended to read that interest rate risks and other risks are acknowledged and responsibly managed. This and other amendments requested by the Committee are included in the resolution.

It was also noted that the current version of the current Policy stipulates that surplus funds must be paid to the Constituent Councils in line with the provisions of the East Waste Charter. The Committee requested that an explanation, be included within the report to the East Waste Board as to why this clause has been removed. Administration explained that clause is included within the Budget Framework Policy and Member Council Rebate and Distribution Policy.

The Committee requested that any future policy amendments be provided in both a marked-up and a clean version, with all changes clearly identified in the marked-up copy. Changes to policies need to be clearly articulated in the version history.

Resolution

Moved Ms N Caon that the Audit & Risk Management Committee having considered the revised Treasury Management Policy, Item 9.4, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026:

1. Provides the following feedback:
 - a. That amendments requested to the Working Capital Assessment and Budget Framework Policy be reflected, as relevant, in the revised Treasury Management Policy.
 - b. That an explanation be provided to the East Waste Board as to why the stipulation that surplus funds be returned to the Constituent Councils has been removed from the revised Policy.
 - c. That clause 1.3 of the revised Policy be amended to read that interest rate risks and other risks are acknowledged and responsibly managed.
 - d. Clause 3.2.1 be amended to remove ambiguity and to detail how short-term planning differences in cash flow are managed.
 - e. An additional clause be included between clauses 3.3.2 and 3.3.3 to specify that borrowings may not be drawn down in advance of requirements. The timing of borrowings must be aligned to the timing of the payments of the item for which the borrowing has been approved.
 - f. That Administration notes that the revised Policy will require amendment should the East Waste Board not approve the reinstatement of the Cash Advance Debenture.
2. Recommends that the East Waste Board adopt the revised Budget Framework Policy.

Seconded: Mr F Bell

Carried

The Chair sought and was granted leave of the meeting to bring forward Item 9.8 Draft Constituent Council Compensation Policy.

9.8 Draft Constituent Council Compensation Policy

This report outlines the Draft Constituent Council Compensation Policy's purpose, structure and governance so the Audit & Risk Management Committee (Committee) can assess its effectiveness and alignment with East Waste's risk framework.

The Policy provides a consistent, lawful approach to receiving, assessing, and resolving claims from the Authority's Constituent Councils arising from East Waste's activities while balancing fairness to claimants with prudent stewardship of public funds. It operates alongside the Local Government Act 1999, the East Waste Charter, delegations, insurance arrangements, and existing policies.

Given that liabilities of the Authority are guaranteed by the Constituent Councils and shared in proportion to their respective Share, the Policy embeds strong controls, clear approval pathways, insurer interface, and transparent reporting to the Committee and the East Waste Board. This report focuses on strategic guardrails (assessment governance, determination outcomes, and ex gratia usage), key timeframes and metrics, and the oversight roles of management, the Committee, and the East Waste Board.

The draft Constituent Council Compensation Policy was presented to the Audit & Risk Management Committee for consideration and comment prior to presentation to the East Waste Board for adoption.

Short – Term Suspension of Meeting Procedures

At 6.12 pm, in accordance with clause 4.10 of the Eastern Waste Management Authority Code of Practice – Procedures at Meeting, the Chair sought and was granted leave of the meeting to suspend meeting procedures for a period of 10 minutes in order for the Committee to a full and frank discussion on the proposed Constituent Council Compensation Policy.

Discussion

The Committee discussed the practicalities and risks associated with the East Waste Board adopting the Draft Constituent Council Compensation Policy as presented and stated that while the draft Policy was well structured they could not support the underlying concept. It was requested that a simpler approach to managing underperformance of East Waste be presented to the September meeting of the Committee.

Meeting Procedures resumed at 6.21 pm.

Resolution

Moved Mr F Bell that the Audit & Risk Management Committee having considered the draft Constituent Council Compensation Policy, (Item 9.8, Attachment A, Audit & Risk Management Committee Meeting 10 June 2026), do not support the content and that

request that a simpler approach, with suitable administrative procedures be presented to the September meeting of the Committee.

Seconded: Ms L Green

Carried

Mr F Bell left and did not return to the meeting at 6.22 pm.

The Chair sought and was granted leave of the meeting to bring forward Item 9.11 – Information Report, Item 9.10 - Internal Audit Recommendation Progress Tracking and Item 9.9 Review of Delegated Powers.

9.11 Information Report

The Information Report presents updates on standing items and other items that are relevant to the Audit & Risk Management Committee's Terms of Reference.

Discussion

The General Manager provided an overview of the East Waste Contracts Register as presented at Attachment D to Item 9.11.

Resolution

Moved Mr A Wiguna that the Audit & Risk Management Committee receives and notes the Information Report as presented on 10 June 2026.

Seconded: Ms L Green

Carried

9.10 Internal Audit Recommendation Progress Tracking

To provide the Audit & Risk Management Committee (the Committee) with an update on the progress of implementation of recommendations made by internal auditors, UHY Haines Norton, through East Waste's Internal Audit Program.

Discussion

The Committee were advised that the Chair of the Committee will work with UHY Haines Norton to finalise the outstanding Payroll Audit and Business Continuity Plan Audit. The General Manager advised that Administration had commenced a review of the Business Continuity Plan based on initial feedback from the Internal Audit process.

Resolution

Moved Ms L Green that the Audit & Risk Management Committee notes the Internal Audit Progress Tracking Schedule, prepared by UHY Haines Norton, as presented at Attachment A - 'UHY Haines Norton Internal Audit Progress Tracking Schedule (Item 9.10, Audit & Risk Management Committee Meeting, 10 June 2026).

Seconded: Ms N Caon

Carried

9.9 Review of Delegated Powers

The purpose of this report is to present a revised delegated authority framework for the consideration of the Audit & Risk Management Committee, ensuring compliance with relevant legislation, the Eastern Waste Management Authority Charter and good governance principles.

Kelley Jones Lawyers recommended that the Audit & Risk Management Committee review the proposed powers of delegation prior to their presentation to the Board.

Discussion

The Committee provided feedback on the formatting of the document to enhance the readability of the instrument. The Committee also suggested that the General Manager may need to rely on clause 75 of the East Waste Charter, which confers powers relating to the settlement of disputes, given the likely need to resolve matters of discontent.

Resolution

Moved Ms L Green that the Audit & Risk Management Committee:

1. notes that Administration have conducted a comprehensive review of the Instruments of Delegation.
2. recommends that the East Waste Board delegates the powers and functions under the East Waste Charter dated 12 June 2022 and specified in the proposed Instruments of Delegation as amended, contained in Attachment A, Item 9.11 Audit & Risk Management Committee Meeting 10 June 2026, to the person's occupying the position detailed in the proposed Instrument of Delegation subject to the conditions and/or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. notes that this instrument of Delegation works in conjunction with the East Waste Charter, the Internal Controls and Policies.

Seconded: Mr A Wiguna

Carried

Formal Motion

Moved Ms L Green that the meeting of the Audit & Risk Management Committee of 10 June 2026 be adjourned to at time and place to be determined.

Seconded: Mr A Wiguna

Carried

10. Closure

The Chairperson declared the meeting closed at 6.39 pm.

11. The next Ordinary Audit & Risk Management Committee Meeting is proposed to be held at 4 pm on 10 June 2026 at HenderCare, Level 3/81 Flinders Street, Adelaide.

These minutes have been signed as a true and correct record of the East Waste Audit & Risk Management Committee Meeting of 10 June 2026.

Chairperson

Date / /

ITEM 9.1 - APPENDIX 1

All FOGO - NO OPT OUT					
Council	Per Fortnight Extra hou	Fornights in Year	Total Extra Hours	Cost per hour	Total Extra Cost
CampbellTown	17.5	26	455	170	77,350.00
Burnside	17.5	26	455	170	77,350.00
Mitcham	0	26	0	170	-
NPSP	12.5	26	325	170	55,250.00
Prospect	0	26	0	170	-
Unley	15	26	390	170	66,300.00
walkerville	2.5	26	65	170	11,050.00
Adelaide Hills	74	26	1924	170	327,080.00
			3,614		\$ 614,380.00

Campbelltown – 3.5 daily runs per fortnight = 17.5
Burnside – 3.5 daily runs per fortnight = 17.5
Mitcham – no change if they do their own organics collection
NPSP – 2.5 daily runs per fortnight = 12.5
Prospect – No real change, currently REC split anyway
Campbelltown – 3.5 daily runs per fortnight = 17.5
Unley – 3 daily runs per fortnight = 15
Walkerville – .5 daily runs per fortnight = 2.5

All FOGO - WITH OPT OUT						
Council	ALL FOGO Extra hours	OPT OUT HOUR Per fortnight	Total OPT OUT Extra hrs For year	Total Extra hours with OPT OUT for ALL FOGO	Cost per hours	
		Hrs Per day				
CampbellTown	455	8	40	1040	1495	254150
Burnside	455	8	40	1040	1495	254150
Mitcham	0	0	0	0	0	0
NPSP	325	6	30	780	1105	187850
Prospect	0	4	20	520	520	88400
Unley	390	6	30	780	1170	198900
walkerville	65	2	10	260	325	55250
Adelaide Hills Rural						
Adelaide Hills Township	1924	5.2	26	676	2600	442000
	3,614		5,096		\$	1,480,700.00

ITEM 9.3 - APPENDIX 1

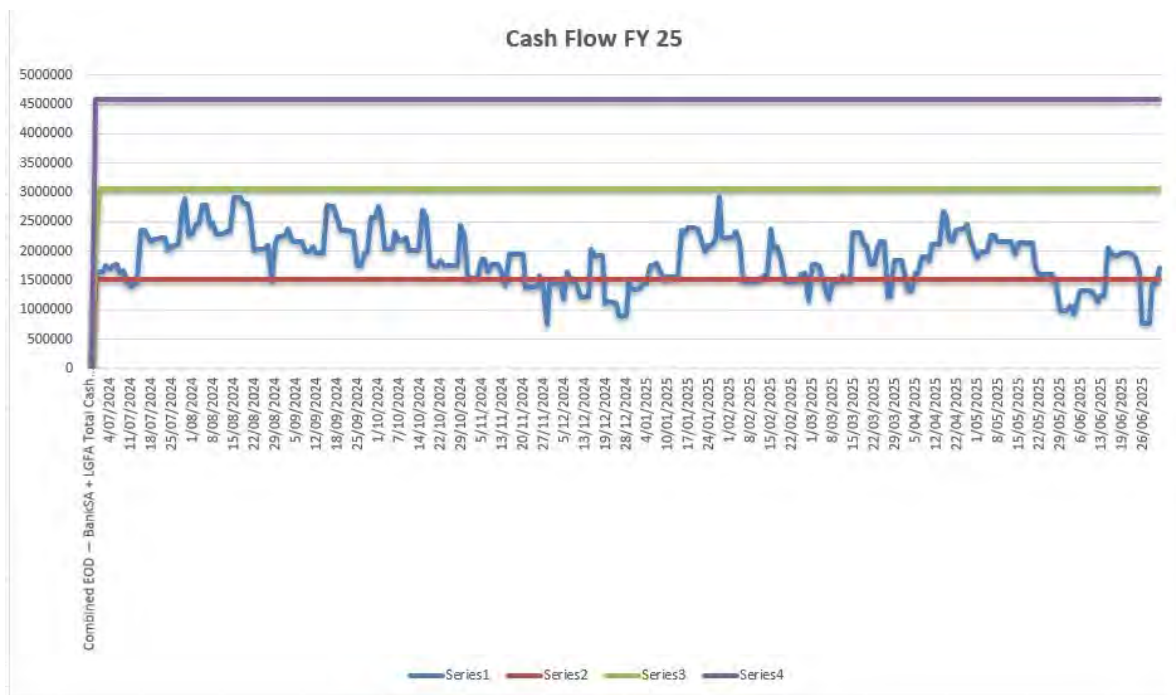
Working Capital Assessment — Supporting Cash Flow Analysis

This document has been prepared in response to feedback received from the Audit and Risk Management Committee (ARMC) requesting additional information to support EW's recommended working capital position of 6 weeks of total common fleet charges, equivalent to approximately \$2.2 million based on current charge levels.

To substantiate this position, EW has analysed its combined daily cash balance — comprising both BankSA and LGFA account balances — across FY2025, FY2026, and a forward projection for FY2027. Each chart below presents the daily cash movement against three reference thresholds representing one, two, and three months of cash holding. This analysis demonstrates the cash flow highs and lows experienced across each period and confirms that the 6-week buffer is both necessary and appropriate to ensure EW maintains a positive cash position at all times.

The following sections provide commentary on each year in turn.

FY2025 — Cash Flow Analysis



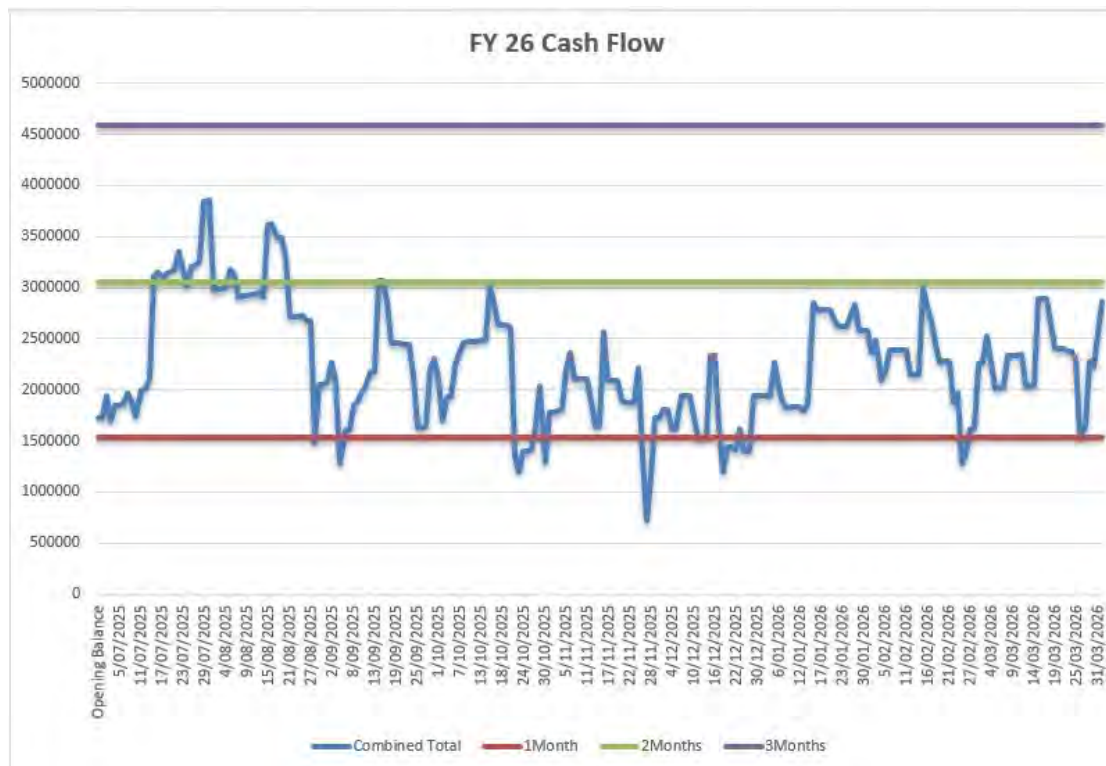
The FY2025 chart presents EW's actual combined daily cash balance from July 2024 to June 2025. Throughout the year, the cash balance generally tracked between the 1-month and 2-month holding thresholds, reflecting EW's relatively stable and predictable expenditure profile.

The most significant drawdown occurred in November 2024, where the cash balance approached and briefly fell near the 1-month threshold of approximately \$1.5 million. A second notable dip occurred in late June 2025 at year end. Both instances

highlight the importance of maintaining the 6-week buffer, as without it the cash balance would have risked falling into a negative position during these periods.

Outside of these pressure points, the cash balance recovered consistently, reinforcing the view that EW's cash flow is predictable and manageable within the proposed working capital framework.

FY2026 — Cash Flow Analysis



The FY2026 chart presents EW's actual combined daily cash balance from July 2025 to March 2026, reflecting the period for which data was available at the time of this analysis. The cash balance pattern is broadly consistent with FY2025, again tracking predominantly between the 1-month and 2-month holding thresholds.

A notable drawdown is again observed in November 2025, where the cash balance fell to its lowest point of the year, dipping below the 1-month threshold of approximately \$1.5 million. This recurring pressure point in November — observed across both FY2025 and FY2026 — is consistent with the timing of significant expenditure obligations and reinforces the need for a working capital buffer of at least 6 weeks.

The cash balance recovered strongly in the months following the November low and was tracking above the 1-month threshold through to March 2026, providing confidence in EW's overall cash management position.

FY2027 — Forward Cash Flow Projection



The FY2027 chart presents a forward cash flow projection incorporating EW’s transition from quarterly invoicing in advance to monthly invoicing in advance, new truck loan repayments, and budgeted capital expenditure. The projection has been deliberately constructed on a conservative, stress tested basis.

Budgeted capital expenditure has been assumed to fall within October and November, coinciding with the major loan repayment period, to model the most significant cash pressure scenario. In practice, EW’s capital expenditure is likely to be incurred across a different timeframe, which would reduce this drawdown. Additionally, incoming payments from all 8 constituent councils have been spread across different weeks of the month, consistent with payment trends observed in prior years.

Despite these conservative assumptions, the projected cash balance remains above the 1-month threshold throughout the year, recovering promptly from the October/November low. This confirms that the 6-week working capital buffer (\$2.2M) is sufficient to absorb EW’s most challenging cash flow period, even under a stress tested scenario.

Conclusion

Across all three years, the cash flow analysis consistently demonstrates that EW’s combined daily cash balance is subject to periodic but predictable drawdowns, most notably in November each year. The 6-week working capital buffer of approximately \$2.2 million ensures that EW maintains a positive cash position through these pressure periods without requiring recourse to external facilities.

EW is satisfied that the 6-week working capital position is both prudent and well-supported by the historical and projected cash flow data, and respectfully recommends that the ARMC endorse this position as part of EW’s financial governance framework.

Cash Advance Debenture (CAD) Facility — Additional Information

In response to the Committee’s queries regarding the proposed \$1 million Cash Advance Debenture (CAD) facility, EW provides the following information.

Undrawn Facility Fees

The LGFA does not charge fees for its lending services. There are no undrawn facility fees applicable to the CAD facility. Interest is only charged on the balance drawn down at any given time, making it a cost-effective contingency instrument for EW to hold in reserve.

Current Interest Rates

As at 2 June 2026, the indicative interest rates applicable to LGFA lending products are as follows:

- Cash Advance Debenture (variable, overnight): 5.85%
- Fixed Rate Credit Foncier (10 years): 6.30%
- Fixed Rate Credit Foncier (15 years): 6.45%

RATE TYPE	RATE TERM	EFFECTIVE DATE	INDICATIVE INTEREST RATE	ACTIONS
Cash Advance Debenture - Variable	Overnight	02/06/2026	5.85%	

Figure 1 — Current LGFA Cash Advance Debenture variable rate as at 2 June 2026, sourced directly from the LGFA member portal.

RATE TYPE	RATE TERM	EFFECTIVE DATE	INDICATIVE INTEREST RATE	ACTIONS
Fixed Rate - Amortising (Credit Foncier)	1 year	02/06/2026	5.78%	
Fixed Rate - Amortising (Credit Foncier)	2 years	02/06/2026	5.83%	
Fixed Rate - Amortising (Credit Foncier)	3 years	02/06/2026	5.90%	
Fixed Rate - Amortising (Credit Foncier)	4 years	02/06/2026	5.94%	
Fixed Rate - Amortising (Credit Foncier)	5 years	02/06/2026	6.16%	
Fixed Rate - Amortising (Credit Foncier)	10 years	02/06/2026	6.30%	
Fixed Rate - Amortising (Credit Foncier)	15 years	02/06/2026	6.45%	

Figure 2 — Current LGFA Fixed Rate Credit Foncier indicative rates across all terms as at 2 June 2026. The 10-year rate of 6.30% is highlighted for reference as EW’s typical borrowing term for fleet assets.

EW’s Recommendation — CAD as a Preferred Instrument in the Current Rate Environment

EW notes that the current interest rate environment presents an important consideration for future borrowing decisions. EW's existing loan portfolio was largely established when LGFA rates were significantly lower, with rates on existing facilities ranging between 1.70% and 5.90%. Locking in new fixed rate borrowings at current levels — for example, 6.30% over 10 years — would represent a materially higher cost of debt than EW's historical average.

Counterparty	Deal	Deb. No.	Orig. Principal	Rate	Instalment Date	Instalment	Principal	Interest	Current Principal
East Waste DL	58080	13	-\$2,170,966.00	2.55%	17/08/2026	\$150,855.71	\$143,401.19	\$7,454.52	-\$584,668.55
East Waste DL	59227	14	-\$2,284,000.00	1.70%	15/10/2026	\$153,281.86	\$146,930.26	\$6,351.60	-\$747,246.98
East Waste DL	60332	16	-\$2,030,476.00	3.10%	16/11/2026	\$144,266.72	\$129,540.83	\$14,725.89	-\$950,057.63
East Waste DL	61038	17	-\$2,853,000.00	5.55%	19/10/2026	\$223,240.89	\$174,496.36	\$48,744.53	-\$1,756,559.57
East Waste DL	61276	18	-\$1,672,000.00	5.65%	17/08/2026	\$131,334.91	\$99,401.52	\$31,933.39	-\$1,130,385.66
East Waste DL	62177	19	-\$1,377,219.00	5.88%	15/06/2026	\$109,139.27	\$77,085.21	\$32,054.06	-\$1,090,274.10
East Waste DL	62266	20	-\$777,781.00	5.90%	17/08/2026	\$61,683.36	\$43,516.28	\$18,167.08	-\$615,833.10
East Waste DL	63130	21	-\$2,178,539.00	5.50%	16/11/2026	\$170,137.57	\$119,573.91	\$50,563.66	-\$1,838,678.61
East Waste DL	64779	22	-\$3,390,000.00	5.16%	15/10/2026	\$261,289.93	\$178,312.69	\$82,977.24	-\$3,216,172.07
Totals						\$1,405,230.22	\$1,112,258.25	\$292,971.97	-\$11,929,876.27

Figure 3 — EW's current LGFA loan portfolio, illustrating the fixed rates locked in on existing facilities. The contrast between these historical rates and current market rates underscores the case for maintaining flexibility through the CAD rather than committing to new fixed rate borrowings at this time.

In this context, the CAD facility offers a strategically flexible alternative. As a floating rate instrument, the CAD rate will move in line with market conditions. Should interest rates moderate over the coming years, the cost of the CAD will reduce accordingly — whereas a fixed rate loan entered into today would remain at the higher locked-in rate for its full term.

EW therefore recommends that, in addition to its primary purpose as a liquidity backstop, the \$1 million CAD facility be considered as part of EW's broader approach to managing its cost of borrowing going forward.

Ongoing Monitoring Framework

EW is committed to actively monitoring its cash flow position to ensure the best possible financial outcome. This will involve ongoing assessment of the interplay between:

- The 6-week working capital buffer (\$2.2M)
- The \$1 million CAD facility
- EW's LGFA investment account

By managing these three instruments in conjunction, EW will be well positioned to optimise its liquidity, minimise its cost of funds, and respond to changing market conditions in a timely manner. This monitoring will form part of EW's annual working capital review.



**Eastern Waste Management Authority
General Manager Performance Review Committee
Minutes**

Thursday 30 April 2026

Minutes

Eastern Waste Management Authority General Manager Performance Review Committee

Meeting held on Thursday 30 April 2026 at the City of Norwood, Payneham & St Peters.

1. Opening

The Presiding Member, Mr S Dilena, declared that a quorum was present and opened the meeting at 4.47 pm.

The Presiding Member read the Acknowledgement to Country.

2. Attendance

Members

Mr S Dilena	Presiding Member, City of Prospect
Mr F Bell	Independent Chair of the East Waste Board
Cr G Piggott	Deputy Chair of the East Waste Board City of Norwood, Payneham & St Peters (<i>entered the meeting at 4.55 pm</i>)
Cr P George	City of Mitcham
Ms C Ordish	Consultant, Perks People Solution

Administration

Ms V Davidson GMPRC Committee Secretariat

3. Apologies

Nil.

4. Declarations of interest

Nil.

5. Confirmation of Minutes

5.1 Minutes of the East Waste General Manager Performance Review Committee Meeting

Moved Mr F Bell that the minutes of the East Waste General Manager Performance Review Committee Meeting held on 16 February 2026 be confirmed as a true and correct record.

Seconded: Cr P George

Carried

6. Matters for Consideration

6.1 Approach to Annual Key Performance

The General Manager Performance Review Committee (Committee) agreed to conduct a 'live review' of the General Manager's performance comprising the following components:

- The General Manager will present to the Committee on progress against his Key Performance Indicators (KPIs) and the responsibilities outlined in his Position Description for a period of 20 minutes at the next meeting of the Committee. The General Manager will be advised of this requirement by the Presiding Member of the Committee.

- Ms C Ordish will prepare an Assessment Matrix by which the individual members of the Committee will assess the General Manager's performance.
- The General Manager will be asked to leave the meeting. Mr Matt Hobby, Director Perks People Solutions, will facilitate a conversation with the Committee to reach a consensus regarding the General Manager's overall performance.
- Mr Hobby will prepare a report which will be included in the 25 June 2026 Board Agenda as a late paper.
- Feedback on the performance review process will be provided to the General Manager at the conclusion of the 25 June 2026 East Waste Board meeting.

6.2 Remuneration Review Process

- The Committee expressed their preference for a nuanced remuneration review process, given that the General Manager is continuing to develop in the role.
- Mr Hobby is to define an appropriate remuneration review process and provide it to the Presiding Member for feedback.
- The outcome of the remuneration review process will be included in the above-mentioned report to the East Waste Board.

6.3 General Manager's KPIs 2026/27

- The Presiding Member of the Committee and the Independent Chair of the East Waste Board will develop draft KPIS for 2026/27 offline. These will be presented to the Committee for consideration and comment on 19 June 2026.

7. Next meeting of the General Manager Performance Review Committee

The next meeting of the General Manager Performance Review Committee is to be held at 9.30 am on Friday 19 June 2026 at the City of Prospect.

8. Closure of meeting

There being no further business, the Presiding Member declared the meeting closed at 5.24 pm.

These minutes have been signed as a true and correct record of the East Waste General Manager Performance Review Committee Meeting held on 30 April 2026.

Signed _____

Presiding Member

Date ____/____/____



**Eastern Waste Management Authority
General Manager Performance Review Committee
Minutes**

Friday 19 June 2026

Minutes

Eastern Waste Management Authority General Manager Performance Review Committee

Meeting held on Friday 19 June 2026 at the City of Prospect.

1. Opening

The Presiding Member, Mr S Dilena, declared that a quorum was present and opened the meeting at 9.33am.

With the opening of the meeting the Presiding Member read the Acknowledgement to Country:

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are as important to the living Kurna people today.

2. Attendance

Members

Mr S Dilena	Presiding Member, City of Prospect
Mr F Bell	Independent Chair of the East Waste Board
Cr G Piggott	Deputy Chair of the East Waste Board City of Norwood, Payneham & St Peters
Mr Matthew Hobby	Director, Perks People Solutions.

Administration

Ms V Davidson	GMPRC Committee Secretariat
Mr L Leyland	General Manager, East Waste

3. Apologies

Cr P George City of Mitcham

4. Declarations of interest

Nil.

5. Confirmation of Minutes

5.1 Minutes of the East Waste General Manager Performance Review Committee Meeting

Moved Cr G Piggott that the minutes of the East Waste General Manager Performance Review Committee Meeting held on 30 April 2026 be confirmed as a true and correct record.

Seconded: Mr F Bell

Carried

7.1 *The Presiding Member sought and was granted leave of the meeting to bring forward Item 7.1 – General Manager’s 2026 Performance Review and Item 7.2 – General Manager’s 2026 Remuneration Review.*

7. Confidential Reports

7.2 General Manager's 2026 Performance Review

Recommendation 1

Moved Mr F Bell

1. That pursuant to Section 90(2) of the *Local Government Act 1999* the General Manager Performance Review Committee orders that the public, with the exception of the Leonard Leyland, General Manager of East Waste, GMPRC Secretariat, Vanessa Davidson and Matthew Hobby, Director of Perks People Solutions, be excluded from the meeting on the basis that the General Manager Performance Review Committee will receive, discuss and consider matters under sections 90(2)(a) and 90(3)(a).
2. The General Manager Performance Review Committee is satisfied that pursuant to sections 90(2)(a) and 90(3)(a) of the Act the information to be received, discussed or considered in relation to the agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Mr Leonard Leyland, General Manager of East Waste.
3. Accordingly, the General Manager Performance Review Committee 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 / consideration of the information confidential.

Seconded: Cr G Piggott

Carried

At 9.35 am the General Manager of East Waste, Mr Leonard Leyland, provided a presentation titled 'General Manager Performance Review; Presentation to the Committee, 19 June 2026'. The GMPRC Committee then assessed the General Manager's performance against the established KPIs and the requirements of the Job and Person Description, in the context of the presentation.

Mr L Leyland's presentation concluded at 10.20 am.

Mr F Bell left the meeting at 10.23 am and returned to the meeting at 10.29 am.

Cr G Piggott left the meeting at 10.23 am and returned to the meeting at 10.25 am.

Mr L Leyland left the meeting at 10.25 am and did not return to the meeting.

Recommendation 2

Moved Mr F Bell

That the General Manager Performance Review Committee:

1. In consideration of the performance of the General Manager against the Key Performance Indicators established, and the requirements of the Job and Person Description, provides feedback on Mr Leyland's performance as detailed in the Performance Review Report prepared by Perks People Solutions)for the East Waste Board's consideration.
2. Thanks Mr Leonard Leyland for his presentation to the General Manager Performance Review Committee and leadership of East Waste over the last 11 months.
3. In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the GMPRC Secretariat append copy of Mr Leyland's presentation as tabled at the General

Manager Performance Review Committee Meeting of 19 June 2026 to the minutes of this meeting.

4. In accordance with clause 4.8 of the Eastern Waste Management Authority Code of Practice – Procedures at Meetings, requests that the GMPRC Secretariat append copy of Mr Leyland’s Performance Review Report to the 19 June 2026 to the minutes of this meeting.

Seconded: Cr G Piggott

Carried

Recommendation 3

Moved Mr F Bell

That in accordance with section 91(7) of the *Local Government Act 1999* the General Manager Performance Review Committee orders that the Report and Presentation – ‘*General Manager Performance Review; Presentation to the Committee, 19 June 2026*’ to Item 7.1, General Manager’s 2026 Performance Review, General Manager Performance Review Committee Meeting of 19 June 2026, be kept confidential until further order.

Seconded: Cr G Piggott

Carried

7.3 General Manager’s 2026 Remuneration Review

Recommendation 1

Moved Mr F Bell

1. That pursuant to Section 90(2) of the *Local Government Act 1999* the General Manager Performance Review Committee orders that the public, with the exception of the GMPRC Secretariat, Vanessa Davidson and Mr Matthew Hobby, Director, Perks People Solutions, be excluded from the meeting on the basis that the General Manager Performance Review Committee will receive, discuss and consider matters under sections 90(2)(a) and 90(3)(a).
2. The General Manager Performance Review Committee is satisfied that pursuant to sections 90(2)(a) and 90(3)(a) of the Act the information to be received, discussed or considered in relation to the agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being Mr Leonard Leyland, General Manager of East Waste.
3. Accordingly, the General Manager Performance Review Committee 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 / consideration of the information confidential.

Seconded: Cr G Piggott

Carried

Recommendation 2

The General Manager Performance Review Committee ordered that this recommendation be kept in confidence in accordance with s90(3)(a) of the *Local Government Act 1999* as it relates to the personal affairs of Mr Leonard Leyland, General Manager of East Waste.

Recommendation 3

Moved: Cr G Piggott

That in accordance with section 91(7) of the *Local Government Act 1999* the General Manager Performance Review Committee orders that the Report, Minutes and Attachment A- *General Manager Remuneration Benchmarking Report* as prepared by Perks People Solutions, to Item 7.2 - General Manager's 2026 Remuneration Review, General Manager Performance Review Committee Meeting, 19 June 2026, be kept confidential until further order.

Seconded: Mr F Bell

Carried

6. Reports

6.1 Draft General Manager KPIs for the 2026/27 Financial Year

Moved Mr F Bell that the General Manager Performance Review Committee:

1. endorses the Key Performance Indicators as listed in Attachment A, Draft General Manager KPIs 2026/27) Item 6.1, General Manager Performance Review Committee Meeting, 19 June 2026 subject to the inclusion of a KPI in relation to the Waste Education Program and a speaking role at waste management event being included.
2. recommends to the East Waste Board that the Draft General Manager KPIs 2026/27 be adopted and form part of the General Manager's Performance Plan for the 2026/27 Financial Year.

Seconded: Cr G Piggott

Carried

8. Next meeting of the General Manager Performance Review Committee

The next meeting of the General Manager Performance Review Committee is to be held at a time and place to be advised.

9. Closure of meeting

There being no further business, the Presiding Member declared the meeting closed at 11.30 am.

These minutes have been signed as a true and correct record of the East Waste General Manager Performance Review Committee Meeting held on 19 June 2026.

Signed _____

Presiding Member

Date ____/____/____

EAST WASTE CONTRACT REGISTER AT 5 JUNE 2026

CONTRACT NAME	CONTRACT DESCRIPTION	CONTRACT EXPIRY	STATUS
Tyres	Supply and fitment of tyres to East Waste fleet of collection vehicles, including maintenance	Expired	<i>LG Tyre Panel concluded - To be utilised by East Waste</i>
Supply of compostable bags	Supply of compostable bin liners and dog waste bags to member councils	1-Jul-26	<i>Tender closed - evaluation underway</i>
Receipt and Processing of Recyclable Material	Receipt and processing of member councils yellow bin material	Oct-26	<i>Tender closed - evaluation underway</i>
Waste Education Services	Delivery of Why Waste It program to schools	Jan-27	
External Audit Services	Provide external audit services in accordance with legislative requirements	Mar-27	
Internal Audit Service	Provision of internal audit services	Jul-27	
Supply of Collection Vehicles	Supply of collection vehicles over three years – Agreement for supply of cab chassis and compactors (Superior) – Contract maintenance	Jan-28	
Landfill Contract	Receipt and processing of three Consituent Council's red/blue bin material	Jan-28	
IT Support and Maintenance Agreement	IT managed services support and licencing	Feb-28	
Supply of mobile garbage bins	Supply of mobile garbage bins and related components including delivery and repairs	Jul-29	
Bulk Fuel Supply	Supply of bulk fuel and associated equipment including tank and bowsers	Jul-30	
Receipt and Processing of Organics Material	Receipt and processing of member councils green bin material	Dec-30	

East Waste Board Outstanding Resolutions Register - as at 25 June 2026				
1/05/2025	9.2	Strategic Risk Register Review	That the East Waste Board requests that East Waste implement an approach to capturing growth demand forecast information from Constituent Councils annually to inform Annual Plan and Budgets, Asset Management Plans and the Long Term Financial Plan.	ONGOING: The Cost Model review activity has identified an opportunity to utilise quarterly data to drive invoicing. Implementation date to be verified post Board endorsement of approach. Recommendations, post workshops and Constituent council engagement will include adjusting the Admin Fee (definition and calculation) and greater engagement with Constituent Councils in the preparation of their annual budgets.
25/09/2025	10.1	Ordinary and Primary Return Process	Authorises the General Manager to write to the Chief Executive Officers of the Constituent Councils asking if they would please list the fee for a hard copy of the East Waste Register of Interests on the agenda of next available Council meeting, noting that the fee recommended by the East Waste Board is \$25 for the full Register of Returns.	ONGOING: Correspondence was sent to all Constituent Councils. Not all Councils have responded as yet, further there is divergence of response with support for \$25 or no support and a position that it should be free.
14/10/2025	6.1	Organics Processing Tender – Adjourned from 10 November 2025	Resolution held in confidence	ONGOING: Contract draft has been reviewed by East Waste and is currently with Peats Soil & Garden Supplies Discussion underway on final clauses requiring confirmation pre signature.
26/02/2026	9.5	Appointment of a Board Member to the Audit & Risk Management Committee	Resolves to appoint a Board Member to the Audit & Risk Management Committee via circular resolution, prior to the April 2026 meeting of the Audit & Risk Management Committee.	COMPLETE: - Sufficient support was received from Constituent Councils to formally appoint Mr. Adrian Wiguna to the Audit & Risk Management Committee.
30/04/2026	5.2	Circular Resolutions Passed Since Last Meeting	In accordance with Schedule 2, Clause 30(3) of the <i>Local Government Act 1999</i> , authorises the General Manager to seek approval of Mr Wiguna's appointment to the Audit and Risk Management Committee from the Constituent Councils.	COMPLETE Correspondence was sent to Constituent Councils on 1 May 2026. Sufficient support was received from Constituent Councils to formally appoint Mr. Adrian Wiguna to the Audit & Risk Management Committee.
30/04/2026	9.1	General Manager's Update	That the Administration prepare a draft Compensation Policy to formalise how Constituent Councils are compensated for liabilities incurred by the operations of East Waste.	ONGOING - A draft policy was presented to the A&RMC at the meeting of 10 June 2026. The Committee did not support the Policy presented a requested a new draft Policy be presented to the September meeting of the Committee.
			That from 1 July 2026 East Waste implement monthly invoicing to Constituent Councils for Common Fleet Collection costs, billed in advance, in order to effectively manage working capital.	ONGOING - 6/8 Councils are supportive of the transition to monthly invoicing of CFC charges, in advance.
30/04/2026	9.3	Review of Long-Term Financial Plan FY2027-2036	That the East Waste Board adopt the revised draft Long-Term Financial Plan FY2027-2036, as amended by the Board, (Attachment A, Item 9.3, East Waste Board Meeting, 30 April 2026).	COMPLETE The final adopted version inclusive of minor grammatical and formatting amendments is finalised.
30/04/2026	9.5	Review of the East Waste Charter	Endorse the revised East Waste Charter, as amended by the Board, (Attachment A, Item 9.5, East Waste Board Meeting, 30 April 2026) for presentation to the Chief Executive Officers of the Constituent Councils for consideration.	ONGOING: Constituent Council CEOs held a meeting via MS Teams on 26 May 2026 to review the Charter as a collective, and is presented to the June Board meeting for endorsement.



NO.	ACTIVITY/PROJECT	OVERVIEW	STRATEGY	MAIN KPI/TARGET	STATUS UPDATE
DELIVER COST EFFECTIVE AND EFFICIENT SERVICES AND FACILITIES					
1.	Continue & Expand Core services	East Waste optimisation will come from providing a full suite of services to Member Councils. Where this doesn't occur, East Waste will work with member Councils with an aim to provide a full suite of services to all member Councils.	1.1	Vision Target	General Manager will continue to seek opportunities to expand core services with Member Councils.
2.	Investigate opportunities outside of existing Member Councils.	When potential opportunities arise, East Waste will investigate service provision to non-member Councils and subsidiaries where the benefit and/or the fostering of partnerships can drive value to Member Councils.	1.1	Vision Target	East Waste submitted a response to the Adelaide City Council Expression of Interest for Waste Collection Services, under a no obligation to formally tender return response.
4.	Implement a Complaints Management/Ticket system to streamline customer service operations, enhance issue resolution efficiency, and improve stakeholder satisfaction	East Waste will implement a Complaints Management/Ticket system to enhance customer service efficiency, streamline issue tracking, and improve response times. This system will provide a structured approach to logging, monitoring, and resolving customer inquiries and complaints, ensuring accountability and transparency. The project aims to optimize workflows, reduce resolution time, and enhance overall customer satisfaction.	1.5	Vision Target	Complete. Ongoing reviews and improvement will continue until 2026-2027 plan commences.

MAXIMISE SOURCE SEPARATION & RECYCLING

5.	Advance trials and rollout of weekly organics collections	Through the success of current weekly organics trials (FOGO Trials) undertaken by East Waste and more broadly across metropolitan Adelaide, East Waste will work with member Councils to increase the trials/rollouts.	2.1	At least 75% of kerbside material separately collected & recycled 100% of food waste separately collected and recycled.	Existing FOGO trials are continuing and a new trial has rolled out successfully in Unley. Burnside has confirmed intention to continue with their planned September roll out.
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PROVIDE LEADING AND INNOVATIVE BEHAVIOUR CHANGE AND EDUCATION

6.	Delivery of the “Why Waste It?” behaviour change program and associated social media.	Utilising the results of the reviews and biennial kerbside audits undertaken over the past 6 years, refine and deliver the ongoing successful “Why Waste It?” program, with a strong food waste separation focus.	3.2	Vision Target	Programs currently being delivered by both East Waste and KESAB.
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HELP DRIVE A LOCAL CIRCULAR ECONOMY

7.	Develop and Procure high value processing contracts.	East Waste on behalf of engaged Member Councils will procure new long-term co-mingled recycling contracts with a focus on ensuring the collected material is processed in a manner which retains and utilises the material at its highest order and so far as possible, locally.	4.4	Vision Target	Organics confirmed, intent to have signed confirmation prior to Board meeting. Recycling with evaluation panel, compostable bags for presentation to Board and Tyres to be released to LGA Tyre panel (acquisition plan approved).
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PROVIDE LEADERSHIP

8.	Fleet Replacement	In line with the Long-Term Financial Plan, undertake the replacement of six (6) collection vehicles.	5.4	Vision Target	Six delivery vehicles will arrive in 2026, four vehicles were sold at auction.
9.	WHS System Responsibility and Accountability	Continuation of ongoing Risk Management and Work Health & Safety systems and processes to provide a safe and healthy workplace for all employees and those which interact with us.	5.1	Implement best practice safety standards	Digital reporting (Power BI) now active for key safety metrics. Executive Support Group actively reviewing weekly. New WHS Business Partner has commenced replacing the previous WHS Lead following resignation.

East Waste Annual Reporting Calendar
Board and Audit & Risk Management Committee
2026

	Feb	Apr/May	Jun	Sep	Nov	
Audit & Risk Management Committee Meeting	Feb 18	Apr 22	Jun 10	Sep 16	Nov 11	✓ Item previously presented/endorsed
Board Meeting	Feb 26	Apr 30	Jun 25	Sep 24	Nov 26	<ul style="list-style-type: none"> ✓ Item included in current meeting Agenda • Item deferred to a future meeting ■ Item not presented this calendar year

Meeting	Financial	Feb	Apr/May	Jun	Sep	Nov	Notes
B	A&R	Budget Review 2	✓				
B		Set fees - Independent members, viewing Interest Register	✓				
B	A&R	Draft Annual Plan & Budget Assumptions	✓				
	A&R	Review of Proposed External Audit Work Plan		✓			Included within presentation of Interim External Audit Report (brought forward)
	A&R	Review of Proposed Internal Audit Work Plan		✓			First annual review.
B	A&R	Budget Review 3		✓			
B	A&R	Interim External Audit Report			✓		Brought forward to align timing to Galpins and East Waste availability.
B	A&R	Annual Plan and Budget Endorsement			✓		
B	A&R	Draft Audited Financial Statements & Meeting with Auditor					
B	A&R	Regulation 10 Financial Report					
B	A&R	Review of Asset Management Plan					
B	A&R	Draft Annual Report for Endorsement					
B	A&R	Budget Review 1					
B	A&R	Long Term Financial Plan Review					
B	A&R	Treasury Management Performance Report					
B	A&R	Customer Service Metrix Report					
Governance							
B		Board & Committee Appointments	✓				Board Director appointed to Audit & Risk Management Committee via Circular Resolution.
B		General Manager Performance Review	✓				General Manager probationary outcome undertaken February Board meeting cycles.
B		Annual Education Summary Report			✓		to Board only.
B		Lodgment of RPD, Primary, and Ordinary Returns					
B	A&R	Policy Review Schedule					
B	A&R	Board and Audit & Risk Management Committee Performance Evaluations					
B	A&R	Proposed Meeting Schedule for Proceeding Year					
B		Review of Confidential Orders			✓		to Board only.
Risk							
B	A&R	Strategic Risk Register Review	✓				