



FLEURIEU REGIONAL WASTE AUTHORITY

BOARD MEETING

PUBLIC MINUTES

14 February 2018

11.15 am – 12.45 pm

Pure Kangaroo Island Sheep Dairy – Cygnet River, Kangaroo Island

Meeting commenced at 11.15am

1. Welcome and apologies

The traditional owners of the land and the pioneers who toiled and laboured to establish our communities were recognised.

Peter Denholm welcomed the new chairperson on behalf of the Board.

PRESENT

FRWA Board

Michael Kelleedy

Chairperson

Simon Grenfell

Alexandrina Council staff member

Jim Davis

Alexandrina Council elected member

Tim Glazbrook

City of Victor Harbor elected member

Glenn Sanford

City of Victor Harbor staff member

Glen Rowlands

District Council of Yankalilla elected member

Peter Denholm

Kangaroo Island Council elected member

John Fernandez

Kangaroo Island Council staff member

FRWA Staff

Marina Wagner

Executive Officer FRWA

Diane Bulpit

Administration & Finance Officer / Minute Secretary

Darren Stephens

Regional Manager Safety, Contracts and Operations

Guests

Nicky Putland

Kangaroo Island Council staff member

Larry Turner

Kangaroo Island Council elected member (proxy)

Mary Alice Swan

Education Contractor FRWA

Apologies

Andy Baker

District Council of Yankalilla staff member

2. DECLARATION OF INTEREST BY BOARD MEMBERS

No changes.

3. CORRESPONDENCE

Correspondence received 29 November 2017 to 6 February 2018 taken as read.

Discussion occurred around the current challenges within the recycling industry. The Chair recommended to the Board that FRWA write to Member Councils to provide an update on this matter.

4. STANDING ITEMS

4.1 Confirmation of Minutes from 6 December 2017

- *Confidential minutes were noted and confirmed as read.*

Moved: Glenn Sanford

Seconded: Simon Grenfell

Carried

- *Public Minutes were noted and confirmed as read.*

Moved: Tim Glazbrook

Seconded: Simon Grenfell

Carried

4.2 Matters Arising and Action List

- *The Board noted the Action list, taken as read.*

4.3 Documents Under Seal

N/A

CONFIDENTIAL MATTERS

4.4 Confidential Items List – Review of existing orders

Move into Confidentiality

Moved: Glenn Sanford

Seconded: Simon Grenfell

Carried

Grounds for Confidentiality for **Agenda Item 4.4:**

In accordance with the Local Government Act 1999, Section 90 (3):

- a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (b) information the disclosure of which-
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the authority is conducting or proposing to conduct, business, or to prejudice the commercial position of the authority; and
 - (ii) would, on balance, be contrary to the public interest'

The Board ordered, pursuant to section 90 (3) (b) (i) and (ii) of the *Local Government Act 1999*, that the public be excluded from the meeting with the exception of **Diane Bulpit (Minute Secretary)**, **Marina Wagner (Executive Officer)**, **Darren Stephens (RMO)**, **Larry Turner (Kangaroo Island Council elected member)** and **Nicky Putland (Kangaroo Island Council staff member)** on the basis that the Board considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider by way of a report in relation to agenda **item 4.4**, and the Board is satisfied that the principle that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving considering and discussing **item 4.4**.

The Board resolved to go into confidence.

Moved: Glenn Sanford

Seconded: Simon Grenfell

Carried

The Board resolved to:

- *Extend confidentiality for waste disposal matter (Agenda item 4.4-16/02/2017) until 22 March 2018. The Board requested the EO examine the contract to ascertain if it contains any obligation for FRWA to maintain confidentiality;*

- *HR Matters in relation to Employee number 44:*
 - o *Agenda item 4.5 – 24/10/2017*
 - o *Agenda item 4.8 – 16/02/2017*
 - o *Agenda item 4.7-18/05/2017,*
 - o *Agenda item 4.4-27/06/2017, and*
 - o *(Agenda item 4.7-30/08/2017*

be maintained as confidentiality for 5 years after the matter is resolved or the employment ends, to be reviewed annually on or before 30 January each year

- *Release from confidentiality:*
 - o *IAC minutes 23 March 2016 Agenda item 4.5 – 16/02/2017*
 - o *IAC minutes 9 March 2017 Agenda item 4.6 – 16/02/2017*
 - o *Tender Evaluation Report External Auditor Agenda item 4.7 - 16/02/2017*
 - o *Loan Application Agenda item 4.5 – 27/06/2017*

Moved: Peter Denholm

Seconded: Tim Glazbrook

Carried

4.5 Business Case – In Vessel Composting

Grounds for Confidentiality for Agenda Item 4.5:

In accordance with the Local Government Act 1999, Section 90 (3):

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

The Board ordered, pursuant to section 90 (3) (b) (i) and (ii) of the *Local Government Act 1999*, that the public be excluded from the meeting with the exception of **Diane Bulpit (Minute Secretary), Marina Wagner (Executive Officer), Darren Stephens (RMO), Larry Turner (Kangaroo Island Council elected member) and Nicky Putland (Kangaroo Island Council staff member)** on the basis that the Board considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider by way of a report in relation to agenda **item 4.5**, and the Board is satisfied that the principle that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving considering and discussing **item 4.5**.

The Board resolved to go into confidence.

Moved: Peter Denholm
Seconded: Glen Rowlands
Carried

Note. This matter remains in confidence, pursuant to the decision by the Board to deal with the matter in confidence, until the Board has finally determined this Agenda item – and beyond that time if the Board resolves to maintain confidence under section 91 of the Act.

4.6 IAC Meeting – 2 February 2018

Grounds for Confidentiality for Agenda Item 4.6:

In accordance with the Local Government Act 1999, Section 90 (3):

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

The Board ordered, pursuant to section 90 (3) (b) (i) and (ii) of the *Local Government Act 1999*, that the public be excluded from the meeting with the exception of **Diane Bulpit (Minute Secretary)**, **Marina Wagner (Executive Officer)**, **Darren Stephens (RMO)**, **Larry Turner (Kangaroo Island Council elected member)** and **Nicky Putland (Kangaroo Island Council staff member)** on the basis that the Board considers it necessary and appropriate to act in a manner closed to the public in order to receive, discuss and consider by way of a report in relation to agenda **item 4.6**, and the Board is satisfied that the principle that the meeting should be conducted in a place open to the public is outweighed in relation to the matter because receiving considering and discussing **item 4.6**.

The Board resolved to go into confidence.

Moved: Peter Denholm
Seconded: Glen Rowlands
Carried

Maintain Confidentiality of Confidential Items in Minutes

The Board ordered pursuant to Sections 91(7) and (9) of the Local Government Act 1999, that the Minutes of the Board meeting held on **14 Feb 2018** in relation to Confidential Item **number 4.6** and titled '**FRWA IAC Minutes 2 Feb 2018**' and the information by way of a report and any associated attachments thereto remain confidential and are not available for public inspection for a period of 12 months from the date of this meeting or a lesser period as determined by the Executive Officer.

Moved: Peter Denholm
Seconded: Glen Rowlands
Carried

5. REGULAR REPORTS

5.1 WHS Report

The EO provided an update on the implementation of Skytrust and the development of tailored induction and retraining modules.

- *The Board noted the WHS report*

Moved: Glenn Sanford
Seconded: John Fernandez
Carried

5.2 Executive Officers Report

- *The Board noted the EO Report*

Moved: Glenn Sanford
Seconded: Simon Grenfell
Carried

5.3 Operations Report

- *The Board noted the Operations Report*

Moved: Simon Grenfell
Seconded: John Fernandez
Carried

5.4 Finance Report as at 31st December 2017 and mid-year budget review

EO presented the Finance Report.

Peter Denholm commended the work of the senior finance officer.

- *The Board noted the finance report as at 31st December 2017 Mid-Year Budget Review 2017/18;*

- *The Board noted the IAC recommendation that FRWA explores all options to moderate additional expenditure at the Goolwa WRD in order to reduce or to eliminate the projected deficit for Alexandrina council.*

Moved: Peter Denholm

Seconded: Glenn Sanford

Carried

6 STRATEGIC ITEMS/DECISIONS REQUIRED

6.1 External Finance Review September Quarter 2017, UHY Haines Norton

The EO presented the External Finance Review September Quarter 2017, UHY Haines Norton.

- *The Board noted that some members had not received a copy of the report.*
- *The Board requested for the report to be redistributed to the FRWA Board out of session*

7. Items for information only

Nil

8. Other Matters

- *The Board proposed that the EO write to constituent councils to ask them to consider visions in waste in which FRWA could partner with them.*

Moved: Glenn Sanford

Seconded: Peter Denholm

Carried

- Jim Davis suggested FRWA undertake lobbying, along with constituent councils to have a 10c refundable deposit placed on wine and spirit bottles. Board members were open to discussing as a future agenda item.
- John Fernandez thanked the Board on behalf of the Kangaroo Island Council for holding the meeting on Kangaroo Island.
- In response to a query from Simon Grenfell the EO provided an update about the bin audit.

- Discussion occurred regarding the possibility of proposing to the WMAA Marina Wagner for a directorship with the Waste Management Association of Australia. The Board expressed in principle support of the endeavour, however, had concerns about resourcing implications for FRWA business if she was successful with the application.

9. Next meeting

Next Meeting 21 March 2018

Meeting closed 13.30

Date draft sent to the FRWA Board: 19 Feb 2018

Date approved: 21 March 2018

Michael Kelledy
Chair of the FRWA Board