



**FLEURIEU REGIONAL WASTE AUTHORITY
BOARD MEETING
PUBLIC MINUTES
29 August 2018
10.00am – 12.30pm
Council Chambers – Alexandrina Council**

Meeting commenced at 10.00am

1. Welcome and apologies

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

The Chair welcomed Greg Georgopoulos the FRWA board.

PRESENT

FRWA Board

Michael Kelledy	Board Chair
Tim Glazbrook	City of Victor Harbor elected member
Glenn Sanford	City of Victor Harbor staff member
Glen Rowlands	District Council of Yankalilla elected member
Andy Baker	District Council of Yankalilla staff member
Peter Denholm	Kangaroo Island Council elected member
Greg Georgopoulos	Kangaroo Island Council staff member
Simon Grenfell	Alexandrina Council staff member

Guests

John Fernandez	Kangaroo Island Council staff member
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FRWA Staff

Marina Wagner	Executive Officer FRWA (EO)
Darren Stephens	Regional Manager FRWA (RMO)
Angela Moore	Senior Finance Officer FRWA (SFO) / Minute Secretary

Apologies

Jim Davis	Alexandrina Council elected member
Grant Gartrell	Alexandrina Council elected member proxy

2. DECLARATION OF INTEREST BY BOARD MEMBERS

Two lists tabled – board members and proxy list (regular proxies only)

Greg Georgopoulos stated he had nothing to add

3. CORRESPONDENCE

Correspondence received 18 June 2018 to 22 August 2018 taken as read.

4. STANDING ITEMS

4.1 Confirmation of Minutes from 27 June 2018

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

Moved: Glenn Sanford

Seconded: Andy Baker

Carried

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

Moved: Glenn Sanford

Seconded: Andy Baker

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

Grounds for Confidentiality for Agenda Item 4.4:

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- information the disclosure of which-*
 - 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*
 - 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 **Marina Wagner (Executive Officer)**, **Darren Stephens (Regional Manager)** and **Angela Moore (Senior Finance Officer)** 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 FRWA Board resolved to go into confidence

Moved: Glen Rowlands

Seconded: Glenn Sanford

Carried

- *The Board noted the Confidential Items List, no changes to be made.*

5.2 DRAFT FRWA IAC Minutes 17 August 2018

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.2:

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 **Angela Moore (Senior**

Finance Officer), Darren Stephens (RMO) and Marina Wagner (Executive Officer) 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 5.2**, 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 5.2**.

The FRWA 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 **29 August 2018** in relation to Confidential Item **number 5.2** and titled '**DRAFT FRWA IAC Minutes 17 August 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: Glenn Sanford

Carried

5.3 Contract External Accounting Services

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), *section 90 (7)* the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.3:

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 **Angela Moore (SFO), Darren Stephens (RMO) and Marina Wagner (Executive Officer)** 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 5.3**, 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 5.3**

The FRWA 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 **29 August 2018** in relation to Confidential Item **number 5.3** and titled '**External Accounting Services**' 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: Glenn Sanford

Seconded: Peter Denholm

5.4 Recycling Matters

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), *section 90 (7)* the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
(b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*

- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.4:

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 **Angela Moore (SFO), Darren Stephens (RMO) and Marina Wagner (Executive Officer)** 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 5.4**, 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 5.4**.

The FRWA Board resolved to go into confidence

Moved: Peter Denholm

Seconded: Glenn Sanford

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 **29 August 2018** in relation to Confidential Item **number 5.4** and titled '**Recycling Matters**' and the information by way of a verbal report thereto remain confidential and are not available for public inspection for a period of 36 months from the date of this meeting or a lesser period as determined by the Executive Officer.

Moved: Glenn Sanford

Seconded: Simon Grenfell

Carried

5.5 In Vessel Composting

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.5:

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 **Angela Moore (SFO)**, **Darren Stephens (RMO)** and **Marina Wagner (Executive Officer)** 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 5.5**, 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 5.5**.

The FRWA 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 **29 August 18** in relation to Confidential Item **number 5.5** and titled '**In Vessel Composting Project**' 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 36 months from the date of this meeting or a lesser period as determined by the Executive Officer.

Moved: Peter Denholm

Seconded: Andy Baker

Carried (Tim Glazbrook against)

5.6 MOU SA Waste Authorities

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.6:

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 **Angela Moore (SFO)**, **Darren Stephens (RMO)** and **Marina Wagner (Executive Officer)** 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 5.6**, 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 5.6**

The FRWA Board resolved to go into confidence.

Moved: Simon Grenfell

Seconded: Andy Baker

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 **29 August 2018** in relation to Confidential Item **number 5.6** and titled '**MOU SA Waste Authorities**' 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 24 months from the date of this meeting or a lesser period as determined by the Executive Officer.

Moved: Glenn Sanford

Seconded: Simon Grenfell

Carried

5.7 HR Matters

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.7:

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);'

The Board ordered, pursuant to section 90(2) and (3) (a) of the *Local Government Act 1999*, that the public be excluded from the meeting 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 5.7**, 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 5.7**.

The Board requested the above section 90 order be amended to include the FRWA staff present at the meeting;

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 **Angela Moore (SFO), Darren Stephens (RMO) and Marina Wagner (Executive Officer)** 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 5.7**, 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 5.7**

Move into Confidentiality

Grounds for Confidentiality for Agenda Item 5.7:

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);'

The FRWA Board resolved to go into confidence.

Moved: Glenn Sanford

Seconded: Simon Grenfell

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 **29 August 2018** in relation to Confidential **Item number 5.7 and titled 'HR Matters'** 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: Glenn Sanford

Carried

5.8 Women in the Environment Award

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.8:

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);’

The Board ordered, pursuant to section 90(2) and (3) (a) of the *Local Government Act 1999*, that the public be excluded from the meeting 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 5.8**, 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 5.8**.

The Board requested the above section 90 order be amended to include the FRWA staff present at the meeting;

Move into Confidentiality

In accordance with the *Local Government (Accountability and Governance) Amendment Act 2015* (Amending Act), section 90 (7) the Confidentiality Order needs to specify:

- (a) *the grounds on which the order was made; and*
- (b) *the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and*
- (c) *if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.*

Grounds for Confidentiality for Agenda Item 5.8:

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);’

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 **Angela Moore (SFO), Darren Stephens (RMO) and Marina Wagner (Executive Officer)** 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 5.8**, 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 5.8**

The FRWA Board resolved to go into confidence

Moved: Glen Rowlands

Seconded: Peter Denholm

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 **29 August 2018** in relation to Confidential **Item number 5.8 and titled 'Women in Environment Award'** 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: Glenn Sanford

Carried

5.9 EO Performance Review

The FRWA Board resolved this matter is not confidential

Marina Wagner (EO), Darren Stephens (RMO) and Angela Moore (SFO) left the meeting.

The Chair, with assistance from Glen Rowlands and Andy Baker will undertake the annual performance review of the Executive Officer and the setting of KPI's for the next twelve months.

Moved: Peter Denholm

Seconded: Tim Glazbrook

Carried

Marina Wagner (EO), Darren Stephens (RMO) and Angela Moore (SFO) returned to the meeting.

6. REGULAR REPORTS

6.1 WHS Report

The EO reported on WHS since the last board meeting and provided a summary about a recent fire in the transfer shed at the Goolwa WRD.

The RMO explained a change in equipment will be required to reduce the risk of future fires and that staff will be undertaking fire training with the CFS in the next week.

- The Board noted the WHS and IM report

Moved: Simon Grenfell

Seconded: Greg Georgopoulos

Carried

6.2 Executive Officers Report

The board noted the report on the outstanding performance of the senior finance officer and in particular her professional performance during the 2017/18 external finance audit.

The EO tabled a 'Summary of Submissions – Enhancing Resource Recovery and Discussing the place of Energy Recovery' report.

The EO updated the Board on the progress of the FRWA Business Plan and a meeting with the new Alexandrina Council General Manager, Wellness.

- The board noted the report

Moved: Glen Rowlands

Seconded: Peter Denholm

Carried

6.3 Operations Report

The RMO highlighted increased transport efficiencies with the introduction of the recycling baler on Kangaroo Island, he is working towards decreasing the amount of glass in the co-mingled recyclables to further reduce the weight of bales and increase transport efficiency.

The RMO expressed his thanks to John Fernandez (KIC) for assisting with the excavation of an asbestos pit at the KIRRC.

The Board noted the Report

Moved: Glen Rowlands

Seconded: Peter Denholm

Carried

6.4 Finance Report as at 30 June 2018 & 4th Budget Review

The SFO presented the report and summarised the June financial statements and the results of the 4th budget review for 2017/18.

The SFO advised the Board draft financial statements for the 2017/18 year had been prepared and were currently being reviewed by FRWA's auditors.

No changes to the result for the 2017/18 year are expected as a result of the audit.

- *The Board notes the finance report and 4th Budget Review as at 30th June 2018*

Moved: Tim Glazbrook

Seconded: Simon Grenfell

Carried

7. Strategic items/decisions required

7.1 Review FRWA Treasury Management Policy

The EO explained the process of comparison with constituent council treasury policies and discussions with FRWA's external IAC member.

- *The board approves the revised Treasury Management Policy (POL 2031/V4).*
- *The board to note that the Authority's budget process and LTFP include regular repayments of loan interest and principal.*

Moved: Tim Glazbrook

Seconded: Peter Denholm

Carried

7.2 Review FRWA Tendering Policy & Tendering Procedure

EO advised policy is subject to a routine review.

- *The Board approves the FRWA Tendering Policy (Pol 2003/V1).*
- *The Board approves the FRWA Tendering Procedure (Proc 1001/V1).*

Moved: Peter Denholm

Seconded: Simon Grenfell

Carried

7.3 Review FRWA Contributions by Constituent Councils Policy

EO advised policy is subject to a routine review.

- *The Board approves the FRWA Contributions by Constituent Councils Policy (Pol2028/V4).*

Moved: Glenn Sanford

Seconded: Greg Georgopoulos

Carried

7.4 Review FRWA Fraud & Corruption Prevention Policy

EO advised policy is subject to a routine review.

- *The Board approves the FRWA Fraud and Corruption Prevention Policy (Pol 2008/V2).*

Moved: Simon Grenfell

Seconded: Andy Baker

Carried

7.5 Review FRWA Drug & Alcohol Policy & Drug & Alcohol Testing Procedure

EO advised that this item was to be removed from the agenda, a further amendment is required and it will be re-tabled at the next Board meeting.

8. Items for Information Only

Simon Grenfell advised the Board an opening ceremony for the redeveloped Goolwa Waste and Recycling Depot will be held on 11th September 2018, invitations will be sent to the Board.

Glenn Sanford advised MGB tagging is due to start in the City of Victor Harbor area in September and he will advise elected members in the areas included in case they receive queries from residents.

Peter Denholm advised the Board of a glass crushing / council composting facility in Melbourne that had received federal government funding.

8. Other Matters

Glen Rowlands asked that with the upcoming local government elections and potential changes to FRWA Board members, if outgoing Board members can assist with a transition program within their councils to educate new FRWA Board members and pass on knowledge gained over several years of Board membership.

There was a general discussion around timelines for Board appointments within councils.

Michael Kelledy asked if Board members can advise their councils that new FRWA Board members will be required to take part in an induction programme.

9. Next meeting 26 September 2018

Meeting will be held in Adelaide (venue TBA) following the KESAB Breakfast with the Minister at the Adelaide Entertainment Centre at 7.15am

Meeting closed 12.38pm

Date draft sent to the FRWA board: 3 Sep 2018

Date approved: 26 Sep 2018

Michael Kelledy
Chair of the FRWA Board