



**PUBLIC MINUTES  
FLEURIEU REGIONAL WASTE AUTHORITY  
BOARD MEETING  
28 AUGUST 2019  
10.30AM – 12.30AM  
FRWA BOARD ROOM**

Meeting commenced at 10.32am

**1. Welcome and apologies**

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

**PRESENT**

**FRWA Board**

Michael Kelledy	Board Chair
Tim Glazbrook	City of Victor Harbor elected member
Glenn Sanford	City of Victor Harbor staff member
Nigel Morris	District Council of Yankalilla staff member (Proxy)
Alistair Christie	District Council of Yankalilla elected member
Elizabeth Williams	Alexandrina Council staff member
Michael Scott	Alexandrina Council elected member
Peter Denholm	Kangaroo Island Council elected member
John Fernandez	Kangaroo Island Council staff member (Proxy)

**FRWA Staff**

John Coombe OAM	Acting Executive Officer FRWA (AEO)
Deborah Hanson	Minute Secretary FRWA (Administration & Customer Service)
Darren Stephens	Regional Manager (RM)
Angela Moore	Senior Finance Officer (SFO)

**Apologies**

Greg Georgopoulos	Kangaroo Island Council staff member
Andy Baker	District Council of Yankalilla staff member

**GUESTS**

NONE

## 2. CONFLICT OF INTEREST DECLARATIONS

None declared

## 3. CORRESPONDENCE

NIL

## 4. STANDING ITEMS

### 4.1 Confirmation of Minutes 24 June 2019

*Public minutes were noted and confirmed as read.*

**Moved: Glenn Sanford**

**Seconded: Peter Denholm**

**Carried**

### 4.2 Confirmation of Minutes 16 July 2019

*Public minutes were noted and confirmed as read.*

**Moved: Alistair Christie**

**Seconded: Elizabeth Williams**

**Carried**

### 4.3 Confirmation of Minutes 25 July 2019

*Public minutes were noted and confirmed as read.*

**Moved: Glenn Sanford**

**Seconded: Tim Glazbrook**

**Carried**

#### 4.4 Matters arising and action list

With reference to Item 5.1 – Workplace Health and Safety Report, Peter Denholm asked why there were no warning signs at the waste depots. The RM advised that as this was an operational issue, he would look into the legal implications of Health & Safety for the public in relation to signage.

Peter Denholm asked if there was an issue with green waste in Yankalilla. Alistair Christie confirmed that the issue was with rental properties and fortnightly collection, which should be resolved by owners of rental properties and not the Council.

The AEO raised the issue with the recent Government 'Which Bin' campaign and the incorrect data being circulated. The AEO attended a recent meeting with GISA and raised concerns. Work is being done internally at FRWA to improve the quality of data.

### 5. REGULAR REPORTS

#### 5.1 Acting Executive Officer Report

The AEO presented his report to the Board including 5.1.3 Letter to Minister Speirs MP and 5.1.7 Position Description.

##### 5.1.2 Strategic Plan 2020 - 2030

- *The Board noted that AEO will place in abeyance further work on the Strategic Plan until the appointment of a new Executive Officer*

**Moved: Glenn Sanford**

**Seconded: Alistair Christie**

**Carried**

##### 5.1.3 Solid Waste Levy Increase

John Fernandez asked if there was value in contacting the Minister for Environment and Water to enquire how income from the Solid Waste Levy would be spent. The AEO informed the Board that he would ask this question at a meeting with the Minister scheduled for 12 September.

- *The Board endorsed the co-signing of the letter to The Hon. David Spiers MP regarding the Solid Waste Levy increase*

**Moved: Peter Denholm**

**Seconded: Tim Glazbrook**

**Carried**

#### **5.1.5 Budget Adoption by Constituent Councils**

Glenn Sanford asked if the shortfall in the Alexandrina 2019/2020 budget was solely due to the increased Solid Waste Levy. Elizabeth Williams confirmed this was not the only impact of the shortfall. The 2018/2019 budget included a long term financial plan which was not adopted at the time.

Nigel Morris asked if the FRWA 2019/2020 budget had been adopted. The Chair confirmed that following legal advice, this had been adopted but would require to be revisited when the issue with Alexandrina Council had been resolved.

Glenn Sanford asked if planned capital projects would be affected due to financial restraints. The AEO confirmed that these may be affected. Tim Glazbrook asked if Board members could be kept informed of any changes to capital projects.

Alistair Christie commented that if services were reduced due to Alexandrina Councils budget adoption, then he would expect these to only be in the Alexandrina area and not other Council areas.

Elizabeth advised that five budget models had been presented to the Alexandrina Council by FRWA and no further information was available at present.

- *The Board endorsed the actions of the Acting Executive Officer in dealing with the 2019/2020 budget issue, with due importance being directed to achieving a satisfactory resolution with the Alexandrina Council.*

**Moved: Peter Denholm**

**Seconded: Alistair Christie**

**Carried**

#### **5.1.6 Internal Audit Committee**

Tim Glazbrook asked if there were any restrictions under Policies or Terms of Reference in appointing Peter Fairlie-Jones for a further term. The AEO confirmed that the recommendation was compliant with FRWA Policies and Terms of Reference.

Elizabeth Williams expressed concerns of not holding regular Internal Audit Committee Meetings. The AEO confirmed that these would now go ahead as planned with no future cancelations expected.

- *The Board approved that Mr Peter Fairlie-Jones be appointed as the external expert on the FRWA Internal Audit Committee for a 2 year term expiring 28 August 2021.*

**Moved: Alistair Christie**

**Seconded: Glenn Sanford**

**Carried**

### **5.1.7 Recruitment of Executive Officer**

Alistair Christie expressed concerns with a five year contract and whether this should be reduced. The AEO explained that with a five year contract, appropriate KPIs should be set that are performance related and a five year contract should attract a higher calibre of applicants.

Peter Denholm asked why a fixed term position should attract Long Service Leave. There was a legal obligation to offer this to an employee but it only becomes available upon the employee becoming eligible in accordance with the legal provisions.

Glenn Sanford asked if McArthur had been involved in drafting the Position Description. The AEO confirmed they had not, but the Position Description was similar to the Adelaide Hills role currently advertised.

Nigel Morris enquired whether the title should be CEO not EO.

The Board agreed for the AEO to proceed to arrange for an Employment Agreement with the following provisions –

- Probationary period of six (6) months
- Remuneration package set at \$179,250 but with the discretion to go to a total of \$185K if required
- Relocation expenses not to be included in the contract, but can be considered if necessary

Draft to be prepared for discussion at the September Board Meeting.

*- The Board approves the establishment of a Recruitment Panel comprising of Michael Kelledy, Glenn Sanford and Andy Baker. Heather Oliver and John Coombe will be available as advisors and Deborah Hanson will provide administration support. The Panel will undertake the selection of a short-list of candidates, hold interviews and provide a report to the Board. Following this the preferred candidate/s (Maximum of two) would present to the Board.*

**Moved: Peter Denholm**

**Seconded: Nigel Morris**

**Carried**

## 5.2 Senior Finance Officer Report

The SFO presented her report to the Board.

Peter Denholm asked why FRWA was not proceeding with a truckwash facility. The SFO explained that a facility had been located at Seaford Heights that was a more cost effective option than building a FRWA based truckwash.

Elizabeth Williams asked if the Auditors would attend the September Meeting for the presentation of the Financial Statements. It was agreed by the Board that the IAC may invite them to attend.

- *The Board noted the finance report and 4<sup>th</sup> Budget Review as at 30<sup>th</sup> June 2019*
- *The Board approved the issue of an adjusting invoice and credit note to the City of Victor Harbor and DC Yankalilla respectively, as per the Contributions by Constituent Councils Policy*

**Moved: Alistair Christie**

**Seconded: Nigel Morris**

**Carried**

- *The Board noted the Acting Executive Officer, Regional Manager Operations and Senior Finance Officer will prioritise and carry out a review of the current FRWA 2019/20 budget and present a revised budget and LTFP to Alexandrina Council for their approval, with the revised budget to be tabled at the FRWA board meeting in September.*
- *The Board noted, to maintain cash flow for FRWA, Alexandrina Council will pay council contributions to the end of September 2019 based on the 2017/18 amount, plus 1.3% and an additional amount of \$18,750 ( $\$225,000/12$ ) to cover the cost of recycling processing. All other councils will be invoiced as per the budget approved by their respective councils.*
- *The Board noted any adjustment required to council contributions for the first quarter of the 2019/20 year will be calculated and invoiced or credited in October 2019 in line with the Contributions by Constituent Councils Policy.*

**Moved: John Fernandez**

**Seconded: Alistair Christie**

**Carried**

### 5.3 Regional Manager Report

The RM presented his report to the Board including the Project Co-ordinators report 5.3.1

Alistair Christie raised the issue of soft plastics being placed in the recycle bin and the possibility of creating a sticker to be attached to recycle bins to educate residents. The RM confirmed that he was working with the waste bin supply company to develop information to be applied to future waste bins.

- *The Board noted the report*

**Moved: Peter Denholm**

**Seconded: Elizabeth Williams**

**Carried**

- *The Board noted the Project Co-ordinators report*

**Moved: Glenn Sanford**

**Seconded: Elizabeth Williams**

**Carried**

### 6. STRATEGIC ITEMS/DECISIONS REQUIRED

NIL

### 7. CONFIDENTIAL MATTERS

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 except for **John Coombe (AEO)**, **Deborah Hanson (Minute Secretary)**, **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 the confidential minutes of the Board meetings of 24 June, 16 July and 25 July 2019 (agenda items **7.1 7.2 7.3**); 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

The FRWA Board resolved to go into confidence

**Moved: Glenn Sanford**

**Seconded: Alistair Christie**

**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 **28 August 2019** in relation to confidential minutes of the Board meetings of 24 June, 16 July and 25 July 2019 (agenda **items 7.1 7.2 7.3**): 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 **5 years** from the date of this meeting or a lesser period as determined by the Executive Officer.

**Moved: Alistair Christie**

**Seconded: Peter Denholm**

**Carried**

### **7.4 Report on the EO Resignation**

12.31pm – Deborah Hanson, Darren Stephens and Angela Moore left the meeting.

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 except for **John Coombe (AEO)** 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 7.4**, 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

The FRWA Board resolved to go into confidence

**Moved: Elizabeth Williams**

**Seconded: Alistair Christie**

**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 **28 August 2019** in relation to Confidential **Items number 7.4**: and titled '**EO Resignation**' 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 **5 years** from the date of this meeting or a lesser period as determined by the Executive Officer.

**Moved: Glenn Sanford**

**Seconded: Alistair Christie**

**Carried**



12.38pm – Deborah Hanson, Darren Stephens and Angela Moore re-joined the meeting.

#### 7.5 SKM Matter

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 **Deborah Hanson (Minute Secretary)**, **John Coombe (Acting 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 verbal report in relation to agenda **item 7.5**, 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

The FRWA Board resolved to go into confidence

**Moved: Glenn Sanford**

**Seconded: Tim Glazbrook**

**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 **28 August 2019** in relation to Confidential Item **number 7.5** and titled '**SKM Matter**' and the information by way of a verbal report and any associated information thereto remain confidential and are not available for public inspection to **28 August 2020** or a lesser period as determined by the Executive Officer.

**Moved: Glen Sanford**

**Seconded: Peter Denholm**

**Carried**

#### 8. ITEMS FOR INFORMATION ONLY

NIL

#### 9. OTHER MATTERS

Alistair Christie thanked The Chair and Andy Baker for their work over the past few months.

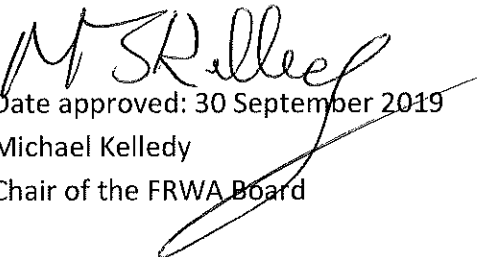
Michael Scott asked if there could be a provision of funding for bin stickers to educate residents. The RM informed the Board that stickers would not be the best way forward as recycle guidelines are constantly evolving and changing. The best way forward would be a mobile education caravan.

**10. NEXT MEETING: 25 September 2019 – City of Victor Harbor**

Meeting closed 12.48pm

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Date draft sent to the FRWA Board: 29 August 2019

  
Date approved: 30 September 2019  
Michael Kelleed  
Chair of the FRWA Board