

# EastWaste

**EASTERN WASTE MANAGEMENT AUTHORITY  
AUDIT & RISK MANAGEMENT COMMITTEE MEETING**

**TUESDAY 16 NOVEMBER 2021**

Notice is hereby given that a meeting of the Audit and Risk Management Committee of the Eastern Waste Management Authority will be held at the **Chairman's Boardroom, Thomson Geer, 7/19 Gouger Street, Adelaide**, on Tuesday 16 November 2021, commencing at 8:00am.



**ROB GREGORY  
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 still as important to the living Kurna people today.



**EASTERN WASTE MANAGEMENT AUTHORITY**

**AGENDA**  
**AUDIT AND RISK MANAGEMENT COMMITTEE**

**Meeting to be held on Tuesday 16 November 2021  
commencing at 8:00am, at the Chairman's Boardroom, Thomson Geer,  
7/19 Gouger Street, Adelaide**

- 1. PRESENT**
- 2. ACKNOWLEDGEMENT OF COUNTRY**
- 3. APOLOGIES**
- 4. CONFLIFCTS OF INTEREST**
- 5. CONFIRMATION OF THE MINUTES:**
  - 5.1 *MEETING HELD 21 SEPTEMBER 2021*
- 6. MATTERS ARISING FROM THE MINUTES**
- 7. QUESTIONS WITHOUT NOTICE**
- 8. REPORTS**
  - 8.1 *FINANCIAL STATEMENTS: BUDGET REVIEW ONE .....pg. 11*
  - 8.2 *TREASURY MANAGEMENT PERFORMANCE REPORT.....pg.19*
  - 8.3 *BUSINESS CONTINUITY PLAN REVIEW .....pg.22*
  - 8.4 *POLICY REVIEW SCHEDULE .....pg.49*
  - 8.5 *DRAFT POLICY DEVELOPMENT POLICY .....pg.51*
  - 8.6 *AUDIT & RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE REVIEW.....pg.56*
  - 8.7 *GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE TERMS OF  
REFERENCE REVIEW .....pg.69*
  - 8.8 *2022 PROPOSED MEETING SCHEDULE .....pg.78*
- 9. CONFIDENTIAL REPORTS**
  - 9.1 *TENDER ASSESSMENT .....pg.79*
  - 9.2 *VERBAL UPDATE - VARIOUS MATTERS*
- 10. OTHER BUSINESS**

**11. NEXT MEETING OF THE AUDIT COMMITTEE**

The next Audit and Risk Management Committee Meeting is to be held on:

Tuesday 15 February 2022, commencing 8:00am, at the Chairman's Boardroom, Thomson Geer, 7/19 Gouger Street, Adelaide

**12. CLOSURE OF MEETING**



**MINUTES OF THE MEETING OF THE AUDIT & RISK MANAGEMENT COMMITTEE  
OF THE EASTERN WASTE MANAGEMENT AUTHORITY**

held on Tuesday 21 September 2021 at the Chairman's Boardroom, 7/19 Gouger Street, Adelaide

Meeting opened at 8:00am.

**1. ACKNOWLEDGEMENT OF COUNTRY**

**2. PRESENT**

Mr F Bell	Independent Chair
Cr L Green	Adelaide Hills Council
Cr M Stock	City of Norwood, Payneham & St Peters
Ms E Hinchey	Independent Member
Ms S Di Blasio	Independent Member

**IN ATTENDANCE**

Mr R Gregory	General Manager
Mr D Maywald	Manager, Business Services
Miss K Vandermoer	Finance & Executive Administration Officer
Mr D Papa	Bentleys
Mr J Palomaria	Bentleys
Mr J Jovicevic	Dean Newbery & Partners

**3. APOLOGIES**

Nil

**4. CONFLICTS OF INTEREST**

Nil

**5. CONFIRMATION OF THE MINUTES – 16 JUNE 2021**

Moved Cr Green that the Minutes of the previous meeting held on Wednesday 16 June 2021 be received and noted.

Seconded Ms Di Blasio

**Carried**

**6. MATTERS ARISING FROM THE MINUTES**

Nil

**7. QUESTIONS WITHOUT NOTICE**

Nil

## **8. REPORTS**

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

#### **RECOMMENDATION**

Moved Cr Green that the Committee recommends that the draft FY2021 audited Financial Statements as presented in Attachment A, subject to additional wording in Note 7, and the Management Representation Letter as presented in Attachment C, are recommended for presentation to the East Waste Board.

Seconded Ms Di Blasio

**Carried**

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

#### **RECOMMENDATION**

Moved Cr Stock that the Committee recommend that the Regulation 10 Financial Report as presented in Attachment A, is endorsed for presentation to the East Waste Board.

Seconded Ms Hinchey

**Carried**

### **8.3 DRAFT SEXUAL HARRASSMENT POLICY**

#### **RECOMMENDATION**

Moved Cr Stock that the Committee:

1. Notes and accepts the Draft Sexual Harassment Policy as presented in Attachment A, and recommends for presentation to the East Waste Board.
2. Recommends that should any relevant legislative changes arise prior to the nominated review date, the policy is revised and presented back to the Committee and Board.

Seconded Ms Hinchey

**Carried**

### **8.4 CHARTER REVIEW**

#### **RECOMMENDATION**

Moved Cr Green that the Committee notes and receives the report and presentation.

Seconded Ms Hinchey

**Carried**

***Mr Jovicevic left the meeting at 8:58am.***

## 9. CONFIDENTIAL REPORTS

### 9.1 TENDER ASSESSMENT

#### RECOMMENDATION 1

Moved Cr Green that pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the Committee orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the Committee will receive, discuss and consider:

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

and the 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/discussion/consideration of the information confidential.

Seconded Ms Di Blasio

**Carried**

*Cr Green left the meeting at 9:13am.*

### 9.2 CONTRACT UPDATE (VERBAL)

*Ms Hinchey declared a perceived conflict of interest in the matter, due to her position on the Audit Committee of Southern Region Waste Resource Authority.*

*Ms Hinchey declared a perceived conflict of interest in the matter, due to her position on the Audit Committee of City of Burnside.*

Mr Gregory provided the Committee with a verbal update on the progression of two contract matters.

### 9.3 ENTERPRISE AGREEMENT UPDATE (VERBAL)

Mr Gregory provided the committee with an update regarding the current Enterprise Agreement negotiations.

#### RECOMMENDATION 1

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

Seconded Ms Blasio

**Carried**

## 10. OTHER BUSINESS

Nil

**11. NEXT MEETING OF THE AUDIT AND RISK MANAGEMENT COMMITTEE**

The next Audit and Risk Management Committee Meeting is scheduled to be held on: Tuesday 16 November 2021, at 8:00am, at the Chairman’s Boardroom, Thomson Geer, 7/19 Gouger Street, Adelaide, SA 5000.

**12. CLOSURE OF MEETING**

There being no other business the meeting closed at 9:40am.

**PRESIDING MEMBER**

\_\_\_\_\_

**DATE**

\_\_\_\_\_



## 8.1: FINANCIAL STATEMENTS – BUDGET REVIEW ONE

**REPORT AUTHOR:** General Manager

**ATTACHMENTS:** **A: Summary Budget Movement – Budget Review 1**  
**B: Budgeted Statement of Comprehensive Income FY2022**  
**C: Budgeted Balance Sheet FY2022**  
**D: Budgeted Statement of Cash Flow FY2022**  
**E: Budgeted Statement of Changes in Equity FY2022**  
**F: Budgeted Uniform Presentation of Finances Statement FY2022**

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### **Purpose of the Report**

To provide the Committee with an opportunity to review the first review of the budgeted statutory Financial Statements (Budget Review One) for the financial year ending 30 June 2022 as prescribed by the Regulations.

### **Background**

At the meeting held 24 June 2021, the East Waste Board resolved:

#### **8.2 2021/22 ANNUAL BUSINESS PLAN & BUDGET**

*Moved Mr Di Iulio that the Board endorse the 2021/22 Annual Business Plan and Budget, as presented in Attachment A.*

*Seconded Cr Ashby*

***Carried***

### **Report**

Member will note new summary report format provided in Attachment A (refer Attachment A) which is proposed for the Committee and the Board to provide high level reporting and overview of proposed movements and performance against adopted budget at each review. Details on the key movements of note can be found in the comments section included in Attachment A.

While this first quarter budget result is favourable this is principally due to timing and projects yet to commence, which is common for this time of year. More relevant, the full year result predicts an unfavourable budget movement of \$151,000 which results in a forecast Net Deficit of circa. \$19,000.

The material forecast budget movements relate primarily due to the following key factors:

- Fuel: increase of \$124K to budget assuming fuel prices for the remainder of the financial year average \$1.40 p/litre.
- Legal Fees: \$70K increase compared to original budget estimates.
- Depreciation: \$40K decrease due to the delay in capitalisation of assets compared to original budget assumptions.
- Grant income: of \$133K which has been offset by additional costs totalling an estimated \$140K relating to Contamination Audit Costs and Consultants to deliver on grant related programs.
- Interest Costs: \$10K decrease due to timing of loans and favourable interest rates compared to original budget.

While the proposed FY2022 BR1 predicts a Net Loss, the Administration have not factored in an increase in the Common Fleet Costing for the purposes of this Budget review given the high number of assumptions and uncertainties that exist with projections in income and expenses for the rest of the financial year. East Waste also has sufficient cash reserves to cover additional forecasted costs and will discuss at the November 2021 Board Meeting whether Common Fleet Costs are to be amended for future charges noting that the budget presented to the Audit Committee is not in conformance with the financial targets set in the Budget Framework Policy.

With respect to the non-operating budget, BR1 figures have been adjusted to reflect actual borrowings and an amount of \$160,000 included as a carry forward from FY21 for completion of the Operations Hub upgrade.

East Waste's operating cash balance is favourable, with an October closing cash balance of \$2.07M. This high balance is consistent with previous years and will be drawn down significantly over the coming months through loan repayments, wages and salaries, operational expenditure and ATO obligations.

In considering the BR1 Forecasted Budgeted Financial Statements, the following key assumptions are to be noted:

- Creditors have been adjusted by \$470K and reflected in the Cash Flow Statement to reflect the payment of the Member Council Rebate from FY2021 which as at the time of preparing this Budget, has yet to be paid. This is expected to be paid to Member Councils when future waste charges are raised.
- There has been no other change to the expected level of working capital for Debtors and Creditors for the purposes of preparing the Budgeted Financial Statements. Changes to working capital movements will be monitored and updated at future budget reviews should there be a material change.
- Forecast lease borrowing repayments have been updated to account for adjustments to the lease liability in FY2021. A further review of this liability will be undertaken in future budget reviews and updated accordingly (if required).
- Assumes that all forecast capital works will be completed in the same financial year and there are no carry forward works to future years.

## **RECOMMENDATION**

**The Committee notes and accepts the forecasted end of year FY2022 result associated with the 2021/22 Budget Review One and recommends to the Board for endorsement.**

**EAST WASTE**

Summary Budget Movement Worksheet  
for the Financial Year Ending 30 June 2022

	Actual YTD	Adopted Budget Full Year	Actual YTD / Adopted Budget	Proposed Budget	Proposed Budget Movement	Comments
Administration Fee	59,900	239,600	25%	239,600	-	
Common Fleet Costing	3,165,638	12,662,552	25%	12,662,552	-	
Processing Income	908,549	5,338,900	17%	4,638,900	(700,000)	Significant Budget Reduction based on pricing of the first six months of the FY .
Bin Services & Maintenance	346,187	1,154,000	30%	1,154,000	-	Higher due to Additional Bin activity occurring in first quarter of year
Profit from Disposal	-	115,000	0%	115,000	-	
Grant Income	-	-	0%	133,400	133,400	Income from successful GISA grants and project partners
Other Income	10,630	19,300	55%	19,300	-	
<b>Total</b>	<b>4,490,905</b>	<b>19,529,352</b>		<b>18,962,752</b>	<b>(566,600)</b>	
Processing Expenses	901,776	5,338,900	17%	4,638,900	(700,000)	Significant Budget Reduction based on pricing of the first six months of the FY .
Bin Service & Maintenance Expenses	320,838	1,154,000	28%	1,154,000	-	
Employee Costs	1,379,316	6,308,919	22%	6,308,919	-	
Fleet Maintenance	371,430	1,570,004	24%	1,570,004	-	
Depreciation	481,058	2,122,000	23%	2,082,000	(40,000)	Adjustment made following confirmation of new truck delivery
Interest	57,340	281,000	20%	271,000	(10,000)	Rate Adjustment
Fuel	284,984	1,157,250	25%	1,281,276	124,026	Sharp inc. in price, above budget in Sep & Oct requiring full year adjustment
Other Expenses	351,732	1,465,966	24%	1,675,966	210,000	Consultancy & Auditing inc. resulting from Grant funding, Legal Fees adjustment
<b>Total</b>	<b>4,148,475</b>	<b>19,998,040</b>		<b>18,982,066</b>	<b>(415,974)</b>	
<b>Net Surplus/Deficit</b>	<b>342,430</b>	<b>131,313</b>		<b>(19,314)</b>	<b>(150,626)</b>	
<b>Non Operating Activities</b>	<b>Actual YTD</b>	<b>Adopted Budget Full Year</b>	<b>Actual YTD / Adopted Budget</b>	<b>Proposed Budget</b>	<b>Proposed Budget Movement</b>	
<b>Income</b>						
Proceeds from Sale of Assets	-	115,000	-	115,000	-	
Proceeds from Borrowings	-	2,200,000	-	2,031,000	(169,000)	Loan borrowings reduced
<b>Total</b>	<b>-</b>	<b>2,315,000</b>		<b>2,146,000</b>	<b>(169,000)</b>	
<b>Expenses</b>						
Fleet Replacement Costs	-	2,095,610	-	2,071,000	(24,610)	
Plant & Equipment Purchases	-	75,000	-	75,000	-	
ICT Upgrades	-	150,000	-	150,000	-	
Facility Upgrades	72,443	60,000	121%	220,000	160,000	Carry forward from FY21 to complete Operations Hub renewal
Loan Principal Repayments	23,397	1,810,000	1%	1,792,000	(18,000)	
<b>Total</b>	<b>95,840</b>	<b>4,190,610</b>		<b>4,308,000</b>	<b>117,390</b>	
<b>Net Non-Operating Result</b>	<b>(95,840)</b>	<b>(1,875,610)</b>		<b>(2,162,000)</b>	<b>(286,390)</b>	

## ITEM 8.1 - ATTACHMENT B

### EAST WASTE

Projected Statement of Comprehensive Income (Budgeted)  
for the Financial Year Ending 30 June 2022

FY2021		FY2022	FY2022
Audited Actuals		Adopted Budget	BR1
\$'000		\$'000	\$'000
	<b>Income</b>		
16,707	User Charges	18,241	17,541
12	Investment income	2	2
-	Grants, subsidies and contributions	-	133
917	Other	1,171	1,171
<b>17,636</b>	<b>Total</b>	<b>19,414</b>	<b>18,848</b>
	<b>Expenses</b>		
6,089	Employee Costs	6,309	6,309
9,149	Materials, contracts & other expenses	10,686	10,320
1,986	Depreciation, amortisation & impairment	2,122	2,082
262	Finance costs	281	271
<b>17,486</b>	<b>Total</b>	<b>19,398</b>	<b>18,982</b>
<b>150</b>	<b>Operating Surplus / (Deficit)</b>	<b>16</b>	<b>(134)</b>
105	Asset disposals & fair value adjustments	115	115
<b>255</b>	<b>Net Surplus / (Deficit)</b>	<b>131</b>	<b>(19)</b>
-	Other Comprehensive Income	-	-
<b>255</b>	<b>Total Comprehensive Income</b>	<b>131</b>	<b>(19)</b>

# ITEM 8.1 - ATTACHMENT C

## EAST WASTE

Projected Balance Sheet (Budgeted)

for the Financial Year Ending 30 June 2022

FY2021		FY2022	FY2022
Audited Actuals		Adopted Budget	BR1
\$'000		\$'000	\$'000
	<b>Assets</b>		
	<b>Current</b>		
3,168	Cash & Cash Equivalents	2,192	2,317
661	Trade & Other Receivables	1,020	661
-	Other Financial Assets	-	-
<b>3,829</b>	<b>Total</b>	<b>3,212</b>	<b>2,978</b>
	<b>Non-Current</b>		
8,098	Infrastructure, Property, Plant & Equipment	8,576	8,532
<b>8,098</b>	<b>Total</b>	<b>8,576</b>	<b>8,532</b>
<b>11,927</b>	<b>Total Assets</b>	<b>11,788</b>	<b>11,510</b>
	<b>Liabilities</b>		
	<b>Current</b>		
1,609	Trade & Other Payables	1,224	1,139
1,925	Borrowings	2,176	1,850
654	Provisions	642	694
<b>4,188</b>	<b>Total</b>	<b>4,042</b>	<b>3,683</b>
	<b>Non-Current</b>		
6,423	Borrowings	6,273	6,490
97	Provisions	123	137
<b>6,520</b>	<b>Total</b>	<b>6,396</b>	<b>6,627</b>
<b>10,708</b>	<b>Total Liabilities</b>	<b>10,438</b>	<b>10,310</b>
<b>1,219</b>	<b>Net Assets</b>	<b>1,350</b>	<b>1,200</b>
	<b>Equity</b>		
1,219	Accumulated Surplus	1,350	1,200
<b>1,219</b>	<b>Total Equity</b>	<b>1,350</b>	<b>1,200</b>

**EAST WASTE**  
**PROJECTED STATEMENT OF CASH FLOWS (BUDGET)**  
for the Financial Year Ending 30 June 2022

FY2021		FY2022	FY2022
Audited Actuals		Adopted Budget	BR1
\$'000		\$'000	\$'000
	<b>Cash Flows from Operating Activities</b>		
	<b>Receipts</b>		
18,457	Operating Receipts	19,412	18,846
7	Investment Receipts	2	2
	<b>Payments</b>		
(6,012)	Employee costs	(6,309)	(6,229)
(9,243)	Materials, contracts & other expenses	(10,686)	(10,790)
(233)	Interest Payments	(281)	(271)
<u>2,976</u>	<b>Net Cash Flows from Operating Activities</b>	<u>2,138</u>	<u>1,558</u>
	<b>Cash Flows from Investing Activities</b>		
	<b>Receipts</b>		
124	Sale of Replaced Assets	115	115
	<b>Payments</b>		
(2,452)	Expenditure on Renewal/Replaced Assets	(2,381)	(2,516)
-	Expenditure of New/Upgraded Assets	-	-
<u>(2,328)</u>	<b>Net Cash Flows from Investing Activities</b>	<u>(2,266)</u>	<u>(2,401)</u>
	<b>Cash Flow from Financing Activities</b>		
	<b>Receipts</b>		
2,284	Proceeds from Borrowings	2,200	2,031
	<b>Payments</b>		
(260)	Repayment of Lease Liabilities	(265)	(247)
(1,826)	Repayment of Borrowings	(1,810)	(1,792)
<u>198</u>	<b>Net Cash Flow from Financing Activities</b>	<u>125</u>	<u>(8)</u>
846	<b>Net Increase (Decrease) in cash held</b>	<b>(3)</b>	<b>(851)</b>
<u>2,322</u>	<b>Cash &amp; cash equivalents at beginning of period</b>	<u>2,195</u>	<u>3,168</u>
<u>3,168</u>	<b>Cash &amp; cash equivalents at end of period</b>	<u>2,192</u>	<u>2,317</u>

**EAST WASTE**

Projected Statement of Changes in Equity (Budgeted)  
for the Financial Year Ending 30 June 2022

<b>FY2021</b>		<b>FY2022</b>	<b>FY2022</b>
<b>Audited Actuals</b>		<b>Adopted Budget</b>	<b>BR1</b>
<b>\$</b>		<b>\$'000</b>	<b>\$'000</b>
964	<b>BALANCE AT END OF PREVIOUS REPORTING PERIOD</b>	1,219	1,219
255	Net Surplus / (Deficit) for Year	131	(19)
-	Contributed Equity	-	-
-	Distribution to Councils	-	-
<b>1,219</b>	<b>BALANCE AT END OF REPORTING PERIOD</b>	<b>1,350</b>	<b>1,200</b>

# ITEM 8.1 - ATTACHMENT F

## EAST WASTE

Projected Uniform Presentation of Finances (Budgeted)  
for the Financial Year Ending 30 June 2022

FY2021		FY2022	FY2022
Audited Actuals		Adopted Budget	BR1
\$'000		\$'000	\$'000
17,636	Income	19,414	18,848
(17,486)	Expenses	(19,398)	(18,982)
<b>150</b>	<b>Operating Surplus / (Deficit)</b>	<b>16</b>	<b>(134)</b>
<b>Net Outlays on Existing Assets</b>			
(2,452)	Capital Expenditure on Renewal and Replacement of Existing Assets	(2,381)	(2,516)
1,986	Depreciation, Amortisation and Impairment	2,122	2,082
124	Proceeds from Sale of Replaced Assets	115	115
<b>(342)</b>		<b>(144)</b>	<b>(319)</b>
<b>Net Outlays on New and Upgraded Assets</b>			
-	Capital Expenditure on New and Upgraded Assets	-	-
-	Amounts Specifically for New and Upgraded Assets	-	-
-	Proceeds from Sale of Surplus Assets	-	-
-		-	-
<b>(192)</b>	<b>Net Lending / (Borrowing) for Financial Year</b>	<b>(128)</b>	<b>(453)</b>



## 8.2: TREASURY MANAGEMENT PERFORMANCE REPORT

**REPORT AUTHOR:** General Manager  
**ATTACHMENTS:** A: Annual Performance Report

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a performance report as required by Clause 4.7 of East Waste's *Treasury Management Policy*.

### **Report**

This Report (refer Attachment A) is provided in accordance with Clause 4.7 of East Waste's *Treasury Management Policy*:

#### **4.7 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. This 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.*

The amounts listed in Attachment A (refer Attachment A) represent both the original amount borrowed, and the amount owing as at the report date (31 October 2021). Loan Agreement 16 was not undertaken until November 2021, however, has been included in the list of borrowings in this instance for transparency and completeness of all loans.

Noting the low interest rate attached to East Waste's previous year loan (Loan Agreement 14), an increase in longer-term interest rates has resulted in a higher rate than expected for the most recent loan undertaken with the Local Government Finance Authority (LGFA) in 2021. This has been driven by higher than expected inflation and performance of the Australian Economy, despite Covid-19, which has moved 'market pricing' higher based on the expectation that the Reserve Bank of Australia (RBA) will start to increase rates sooner than they had initially communicated. These economic factors influence the movement of interest rates that has fed through to the LGFA Credit Foncier fixed term interest rates.

An assessment as to whether better rates could be achieved against commercial banks was undertaken in 2020, which resulted in a highly favourable result for the LGFA, in terms of more competitive rates and ancillary benefit to East Waste. The intention is to undertake this exercise every two years to ensure appropriate market testing.

No investments were made during the period from October 2020 through to October 2021 due to low rate of return on investment.

No information has been provided in accordance with Clause 4.7, dot point 2, as this is not applicable to East Waste at this time, as all borrowings are 100% fixed rates.

**RECOMMENDATION**

The Committee recommend that the Performance Report as presented in Attachment A is endorsed and presented to the East Waste Board.



## ANNUAL TREASURY MANAGEMENT PERFORMANCE REPORT

### Borrowings as at 31/10/2021

Loan #	Amount Borrowed	Rate	Term	Amount owing as at 31/10/2021	Maturity date
Loan Agreement 7	\$ 1,743,400.00	4.25%	7 years	\$ 142,255.21	15/01/2022
Loan Agreement 8	\$ 1,926,190.00	3.75%	7 years	\$ 602,345.76	15/07/2023
Loan Agreement 9	\$ 281,743.00	3.50%	7 years	\$ 87,594.58	17/10/2023
Loan Agreement 10	\$ 1,646,244.00	3.85%	7 years	\$ 759,606.13	17/07/2024
Loan Agreement 11	\$ 325,369.00	4.00%	7 years	\$ 150,544.74	15/09/2024
Loan Agreement 12	\$ 1,813,771.00	4.00%	7 years	\$ 1,222,874.94	15/11/2025
Loan Agreement 13	\$ 2,170,966.00	2.55%	8 years	\$ 1,796,706.82	17/02/2028
Loan Agreement 14	\$ 2,284,000.00	1.70%	8 years	\$ 2,015,126.40	15/10/2028
*Loan Agreement 16	\$ 2,030,476.00	3.10%	8 Years	\$ 2,030,476.00	15/11/2029
				<b>\$ 8,807,530.58</b>	

### Matured Loans between 31/10/2020 - 31/10/2021

Loan #	Amount	Rate	Term	Maturity date
Loan Agreement 6	\$ 2,013,491.00	5.35%	7 years	15/01/2021

### Investments as at 31/10/2021

Loan #	Amount	Rate	Term	Maturity date
NIL				

### Matured Investments from 31/10/2020 - 31/10/2021

Amount	Rate	Term	Maturity date	Interest Earnt
NIL				

\*Loan Agreement 16 was not settled as at 31 October 2021 however has been included for completeness of the report.

## 8.3: BUSINESS CONTINUITY PLAN REVIEW

**REPORT AUTHOR:** Manager Business Services  
**ATTACHMENTS:** A: Business Continuity Plan

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a copy of the revised Business Continuity Plan.

### **Background**

The intent of a Business Continuity Plan (BCP) is to ensure the required components have been addressed in order to allow the Organisation to respond to a business interruption of note. The BCP was last reviewed in April 2020 and as such it is deemed appropriate to review.

### **Report**

In line with the review schedule the BCP has been reviewed and it was determine that the BCP is still relevant and provides a good framework for ensuring East Waste's operations in the event that a Business Interruption event occurs.

Therefore, only minor changes have been made to the existing BCP which are shown in Attachment A (refer Attachment A) using track changes.

### **RECOMMENDATION**

**The Committee recommend that the revised Business Continuity Plan is presented to the East Waste Board for endorsement.**

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# East Waste - Business Continuity Framework and Plan

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## Abbreviations and Definitions

Term	Definition
<b>Business Continuity</b>	Is the uninterrupted availability of all key resources supporting essential business functions.
<b>Business Continuity Control Centre</b>	A central point of reference to co-ordinate the response to a business interruption event. -To be established at the discretion of the CMT Director.
<b>Business Continuity Management</b>	Provides for the availability of processes and resources in order to ensure the continued achievement of critical objectives.
<b>Business Continuity Plan(s) (BCP)</b>	A collection of procedures and information that is developed, compiled and maintained in readiness for use in the event of a business interruption.
<b>Business Process Assessment</b>	A management tool designed to assist in the identification and assessment of criticality of business processes and functions
<b>Business Impact Analysis (BIA)</b>	A management level analysis which identifies the impacts of function loss on the organisation. The BIA provides management with data upon which to base risk mitigation and continuity planning decisions.
<b>Business Interruption Event (BIE)</b>	An event that by its duration exceeds the Maximum Acceptable Outage and /or has an adverse impact on business objectives and requires the implementation of the BCP or sub plans.
<b>Non Critical Function Action Plan</b>	An agreed documented course of action that identifies mitigation, response and recovery actions for business functions identified as non-critical.
<b>Critical Function Sub Plan</b>	An agreed documented course of actions to be taken in the event of business function loss. Plan describes the key actions required under preparation.
<b>Continuity Management Team (CMT)</b>	<del>An assembly of e</del> Executive management representatives and other seconded staff formed for the express purpose of responding to an organisational crisis. CMT management structure will overlay all normal management structures during the response process.
<b>Emergency Event</b>	An event due to an actual or imminent occurrence (such as a fire, earthquake, or epidemic which: <ul style="list-style-type: none"> <li>• Endangers or threatens to endanger the safety or health of staff or visitors to the organisation.</li> <li>• Destroys or damages, or threatens to destroy or damage property of the organisation; <u>or</u></li> <li>• Has the capacity to disrupt operations to the extent that it impact on business objectives.</li> </ul>
<b>Maximum Acceptable Outage (MAO)</b>	The maximum period of time that East Waste can tolerate the loss of capability of a critical business function, process, asset or IT application.
<b>Corporate Governance</b>	A system by which the organisation is directed and controlled. Corporate Governance activities are represented as four principal components: direction, executive action, supervision and accountability.
<b>Risk Management</b>	The culture, processes and structures that are directed towards realising potential opportunities whilst managing adverse effects.



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## Introduction

### Purpose

The purpose of business continuity management is the development, implementation and maintenance of policies, frameworks and programs to assist East Waste to manage a business disruption and build organisational resilience. Resilience is the capacity that assists in preventing, preparing for, responding to, management and recovering from the impacts of a disruptive event.

The plan identifies the required facilities, technical infrastructure, key responsibilities, agreements and processes that will be required to position East Waste to be able to respond and recover from a ~~business interruption event~~ BIE.

Business continuity is initiated when an event occurs that has a significant business disruption consequence. These disruptive events may be low frequency, but they may have severe consequences for East Waste.

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### Benefits and Costs

The benefits to East Waste of having an effective business continuity management program may include but are not limited to:

- Continued delivery of services to clients in the event of a business disruption.
- The ability to identify the consequences of a business disruption.
- Having in place effective responses to a business disruption which minimises damage to East Waste.
- Reduced costs of operating during a business disruption, and more ~~cost effective~~ cost-effective recovery.
- Management of uninsurable risks, and compliance with insurance policies.
- Compliance with regulatory requirements (where applicable).
- Enhancing East Waste's reputation by demonstrating to stakeholders a credible response.
- Improved efficiency and effectiveness of business-as-usual operations.
- The ability to use negative events as opportunities to improve business operations.
- Identifying key independencies that may not have otherwise been apparent.
- Building resilience that facilitates managing and recovering from a business disruption event.

When determining business continuity strategy, it is important to consider the costs as well as the benefits of potential continuity treatments.

Usually, the lower the maximum tolerable period of disruption, the more costly and complex the recovery treatment ~~is likely to may~~ be. This is particularly true when the recovery of technology is involved. It is important to be realistic in the recovery requirements required.

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### Lifecycle

Business continuity does not have an exact start and end; it is a continuous process that will require review to keep the plan up to date and relevant.

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## Objectives

The objectives of the East Waste Business Continuity Plan (BCP) are to provide a mechanism that enables the Authority and its officers to:

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- Identify business functions that are critical to East Waste in meeting its business objectives.
- Develop resumption plans based on criticality of business functions.
- Build resilience within the Authority's operational framework.
- Identify and document roles and responsibilities for key staff positions; and
- Minimise the impact of function loss on stakeholders and the community.

The Business Continuity Plan provides a framework for management and staff to enable them to implement an agreed response process.

### Use of the BCP

This plan should be used in the event of a business interruption event that may impact on the ability of East Waste to deliver business objectives. Managers and staff with responsibility for impacted areas of the business should use the BCP and any relevant sub plans to ensure a consistent and agreed course of action is implemented.

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### Business Continuity Kit

The Business Continuity Kit is a sub document of the BCP and contains specific details required to enact the BCP and will be kept up to date as information changes.

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### Use of other plans

A business interruption event may also require East Waste to enact their **Workplace Emergency and Evacuation Plan**. If multiple levels of response may be required, planning needs to consider and provide guidance to staff on formally activating the ~~business continuity plan~~ BCP and when to move from an emergency management response to a business continuity response.

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### Assumptions

The BCP is intended to provide guidance to East Waste's officers to assist continuity of service for critical functions where those officers are not normally responsible for managing the specific function affected. Where the Authority's officer who is normally responsible for managing the specific function is available, it is assumed that this document will serve as a check document to reduce the possibility for omission of important actions.

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### Limitations

It is not the intent of this document or process to develop an **Information Technology Disaster Recovery Plan (ITDR)**. -This process will however identify, from a business perspective, what the business requirements are for Information Technology resources to support the delivery of ~~business-critical~~ business-critical functions. This information should be used to inform the development of ITDR plans. It ~~should~~ also be acknowledged that East waste has a contract to manage the ~~ICT-IT~~ infrastructure, so it is important that there is ongoing engagement with this contractor with regard to IT Disaster recovery and assurance that there is integration between the IT Disaster Recovery Plan and BCP management.

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The BCP does not cover emergencies. East Waste has a **Workplace Emergency and Evacuation Plan** for this purpose.

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## Audience – Distribution

The intended audience for the East Waste Business Continuity Plan is:

- The Board
- The Executive Team
- Critical Function Sub Plan Managers and Staff, and
- Non Critical Function Action Plan Managers and Staff

The plan is to be available to all Managers and staff and is to be reviewed annually by the Executive Team.

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## Authority

- The East Waste's Business Continuity Plan has been developed under the authority of the Board. Prior to implementation, the plan was reviewed and approved by that body.
- A standing authority is given to the Sub-Plan owners by the Executive Officer General Manager to implement the actions identified within the sub plans, and-
- Authorisations, both financial and legal delegations include authorisations for Business Interruption Events.

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## Training and Communication

The key objective of the BCP is to increase the awareness within East Waste of potential business interruption events that could impact the Authority. The BCP plan outlines the response/ recovery protocols associated with such an event. Training and communication will play a key role in achieving this objective.

The management and other key staff have been involved in the development of the BCP. It will be the responsibility of the Executive Officer General Manager to ensure that the requirements of the BCP are communicated to all staff and that induction / training programs include reference to business continuity in the context of sound risk management practices.

Managers should be familiar with key deliverables as detailed in the Critical Function Sub Plans and ensure that staff are aware of their roles and responsibilities in the event of a business interruption event.

## Validation and Testing

Business Continuity Management is a process, not an event. Once the BCP has been prepared, commitment to a pre-planned, annual test plan and maintenance schedule is required by East Waste to ensure BCP procedures remain viable into the future.

Testing should include all aspects of the BCP, but not necessarily all in one year. Major components (Sub Plans) should be reviewed at least annually. Volatile information such as the Business Continuity Kit should be validated more frequently.

In addition to the annual test and review of the BCP, any significant changes in the operations of East Waste should also trigger a review of the BCP. Version control of the BCP should be coordinated through the CMT-Coordinator.

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## Monitor & Review

Monitoring and review is an integral component of the BCP process. East Waste recognises and is committed to ensure the following monitoring and review strategy is implemented:

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	Activity for Review	Accountability	Timeframe
1	Business Continuity Plan (overarching plan)	Senior Management Team/CMT	Monitor annually and action as required
2	Business Continuity Plan Training		Annual training brief or refresher sessions
3	Business Continuity Plan Exercise		Annual desk top exercise Simulation exercise every 2 years
	Administration	Accountability	Timeframe
4	Business Continuity Kit	Senior Management Team/CMT	Update as changes occur Annual Review overall
4a	Critical Function Sub Plans		Annual Review
4b	Non Critical Function Action Plans		Annual Review

## Methodology and Processes Undertaken

Business continuity covers the identification and risk management of East Waste's business processes. The plan has been developed with consideration given to AS/NZS 5050:2010 Business continuity – Managing disruption-related risk, AS/NZS/ISO 3100:2018 Risk Management – Principles and Guidelines.

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## Critical Business Processes

An important component of the BCP is the determination of the critical business processes that are required for East Waste to continue to deliver services ~~in~~ during a Business Interruption Event (BIE).

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Critical business processes are ranked in order of their importance to East Waste. The ranking reflects the importance of the business process to achieving business objectives. When ranking, the following are considered:

- Failure to meet statutory obligations for service delivery.
- Failure to meet key stakeholder expectations.
- Loss of cash flows essential to business operations.
- Degree of dependency on business processes by internal business units or clients.
- Cumulative damage to East Waste by the disruption to the critical process; and
- Reputational consequences.

The following critical business processes have been identified:

1. Office Accommodation & Facilities.
2. Depot Accommodation & Facilities.
3. Communication and Information Technology.
4. Payroll.
5. Waste Collection – critical for service delivery:
  - a. Goods and services.

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- b. Staff<sub>2</sub>
- c. Plant and Equipment<sub>2</sub>
6. Accounts Payable<sub>2</sub>
7. Accounts Receivable; and
8. Getting back to normal ongoing function.

The Business Continuity Kit details the above processes, the maximum outage that is acceptable and the resources required to re-commence those processes. The loss of a critical business function for a period greater than the maximum outage will generally result in the establishment of the Continuity Management Team to direct, oversee and support the emergency, continuity and recovery response phase.

## Risk Management

All entities face a variety of risks. Managing risks requires a structured, systematic process to identify and treat risks and implement appropriate controls (risk treatments) that act to reduce the likelihood of disruptive events occurring. There is no such thing as 'no risk' and controls won't guarantee that disruptive events will not occur.

It is important that controls are designed and implemented with ongoing review that will be used to mitigate the likelihood that disruptive events occur and controls that will operate once such an event has occurred.

East Waste has developed a Risk Management Framework. This framework covers the following areas and should be understood in conjunction with this Business Continuity Plan:

- Risk Appetite<sub>2</sub>
- Risk Assessment<sub>2</sub>
- Risk Identification<sub>2</sub>
- Risk Analysis<sub>2</sub>
- Risk Evaluation; and.
- Risk Treatment<sub>2</sub>

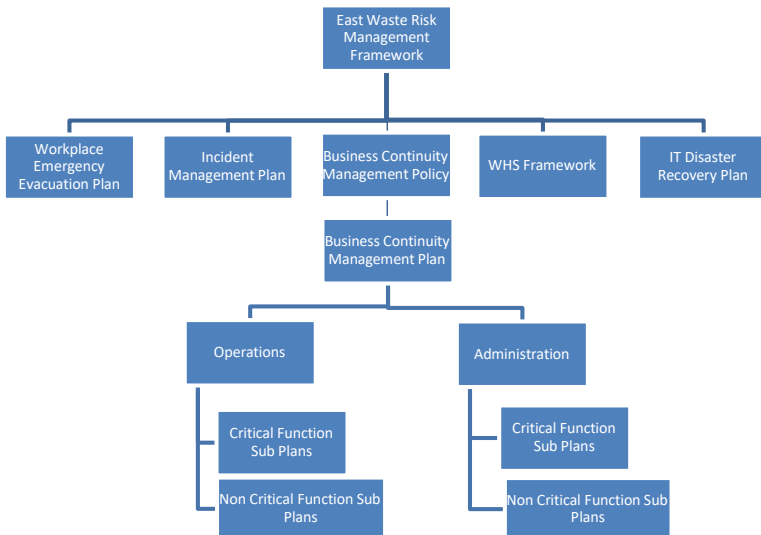
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## Risk Management Framework

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## Emergency Response Management

Emergency response management is the activity that takes place immediately after an incident has occurred. The primary concern of the emergency response is the safety of people. During an incident, emergency response may include evacuation of a building, liaison with emergency services, initial assessment of damage and implications for East Waste.

An example of emergency response management would be a fire in the administration building which requires evacuation.

This is different to a community emergency response where East Waste is involved in the impact of an emergency on the community such as bushfires that require changes to waste collection operations, and potentially additional waste collection services.

East Waste has developed a Workplace Emergency and Evacuation Plan which covers the following areas:

- Fire Alarm<sub>2</sub>
- Site Plan<sub>2</sub>
- Reporting an Emergency<sub>2</sub>
- Evacuation<sub>2</sub>
- Media Liaison Policy<sub>2</sub>
- Notification<sub>2</sub>
- Shutdown<sub>2</sub>
- Termination of Emergency<sub>2</sub>

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- Preservation of Scene<sub>2</sub>
- Counselling; and
- De-Brief<sub>2</sub>

In particular the Workplace Emergency and Evacuation Plan covers the following incidents:

- Armed Hold-up<sub>2</sub>
- Extreme Weather – Heat<sub>2</sub>
- Fire – Building<sub>2</sub>
- Medical Emergency<sub>2</sub>
- Pandemic Illness; and
- ~~Sexual Assault~~
- Vehicle or Plant Incident

It is important to annually review both the Emergency Response Management and the ~~Business~~  
~~Continuity Plan~~BCP together to ensure that common information remains consistent.

## Business Continuity Approach

A business continuity system works to minimise the effects of disruptions to critical business processes. Minimising the effects of business disruptions involves:

- Identifying and evaluating options to minimise the effects of a business disruption and
- Selecting alternative activities and resources.

## Identifying and evaluating options to minimise the effects of a business disruption

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For each critical business process identified, options are needed to:

- Reduce the likelihood and consequence of the disruption occurring; and
- Implement alternative activities and resources to be used following a business disruption and activate plans to recover and restore to normal operations.

In selecting alternative activities and /<sub>2</sub>or resources the following need to be considered:

- People<sub>2</sub>
- Facilities (buildings and equipment)<sub>2</sub>
- Technology (including IT systems/applications)<sub>2</sub>
- Telecommunications; and
- Vital records.

## People

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People, including contract personnel are a vital resource in ensuring continuity of East Waste's operations. An unexpected loss of key/<sub>2</sub>experienced personnel or a team would have a significant consequence for East Waste's capacity to achieve its objectives.

The Business Continuity approach includes the following:



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- Communication strategies, communication channels and messages for different groups such as continuity team members, other East Waste staff, external stakeholders and the general public.
- Human resource issues include:
  - Short-term placements and training.
  - Sustained reduced staff capacity disruptions; and
  - Employee payroll
- Issues relating to specific business disruption; and
- The psychological effects of the disruption on staff morale – this may include trauma counselling for staff both during and after the event.

#### Treatment options for people

Treatment	Description
Succession Plans	Plan of action to replace key staff if they are unavailable. May include identifying understudies in East Waste, or agreements with professional contracting agencies or with other entities (such as Councils) to source qualified staff at short notice.
Skills management plans	For identified understudies, key information and corporate knowledge is available so they can assume a new role with as little lead-time for learning as possible.
Key person insurance	Insure against the financial consequences of loss of key staff. This may recover costs associated with loss of key staff but it is only a solution to the symptom of losing staff – proactive staff management practices are preferable. (Local Government Risk Income Protection Insurance – may be a possible solution)

#### Facilities (including buildings and equipment)

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It is very useful to have prepared processes and treatments for assessing damage, salvage and restoration of equipment and buildings. These processes can assist in timely restoration or relocation of critical business processes to continue essential business services. Where relocated accommodation is to be provided by a third party, the treatment plan needs to include a regular communication schedule with the provider, to ensure that facilities are still available when required.

Issues to consider include:

- Arrangements and procedures for relocating facilities.
- Provision of backup processing services.
- Agreements and activities required to transfer functions.
- Administrative details such as spare IT equipment, cheque printing, stationery, paper manuals, access to key procedures and contracts, and storage of spare keys to access offsite material; and
- Documented procedures to support business facility recovery and restoration.

#### Remote Access

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Remote access and mobile electronic devises-devices form part of day-to-day operations. Remote access and mobile devises-devices can assist in business continuity and sustain critical business processes or functions from a remote location for an extended period of time. Uses may include:

- Alternative offices or a disaster recovery site.
- Field staff operating via mobile communication devices.

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- An employee's home environment; or
- Conference facilities.

Variables that can affect the resilience and availability of remote access strategies in a prolonged emergency may include;

- Network congestion caused by increased use of telecommunications and internet services during a prolonged emergency; or
- Possible failure of infrastructure due to lack of maintenance or damage.

### Technology (IT systems/applications)

Information systems manage East Waste's physical records, i.e. correspondence, project and management files, and electronic records such as email and electronic documents. Treatments that deal with the continuity of technology can include:

- Preventative controls such as robust systems and application design, fault-tolerant hardware, uninterruptible power supplies and monitoring facilities.
- Use of secure and fire-proof in-house storage facilities.
- Agreements and activities required to transfer processing to other locations.
- Provision for backup processing facilities (electronic and manual).
- Off-site storage of data.
- Ability of vendors to supply equipment if East Waste does not hold spares or the equipment is rendered unavailable due to the crisis/incident; and
- Continuity of protection of confidential information; and
- Outsourcing IT operations so no or little infrastructure is kept on site.

#### Treatment options for Facilities, telecommunications and systems

Treatment	Description
Purchase or lease	Pay for extra office space, IT Infrastructure, redundant capacity communications.
Contingency arrangements	Enter into an agreement with an outside vendor to provide service in the event of a business disruption.
Mutually beneficial agreements	Enter into an agreement with another entity (such as a council) to use part of their facilities in the event of a disaster.

### Telecommunications

Continuity approaches include treatments that address recovery from loss or disruption of voice and data communications.

Treatments that deal with communication continuity can include:

- Human resource procedures and administration to support the business function.
- Vendor and carrier negotiations in which contractual or service level agreements are made with telecommunication vendors.

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- Alternative path design and switching services redundancy being built into communication networks which enable communications to be diverted to other locations if, and when, necessary.
- Backup equipment and software which includes backup of data, network software and acquiring necessary redundant equipment.
- Uninterruptible power supplies and monitoring facilities which help prevent system loss during power failures; and
- Generators for alternative emergency power.

### Vital Records

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Vital records need to be identified. Restoring vital records requires that a suitable records management program is in place. This includes the management of hardcopy and electronic records data and archiving policies for both forms of records.

Continuity issues in record management extend beyond just keeping business processes in place. Record management has long-term implications for East Waste and continuity strategy considerations include:

- Legal requirements.
- Adverse effects on reputation through inability to deliver information.
- Inefficiency across all processes in locating and utilising information.
- Stakeholder dissatisfaction.
- Political ramifications of non-delivery of a service or information; and
- Decision making process which will be affected.

### Interdependencies

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#### Internal

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A business disruption may affect more than one business process, so the treatments developed for each critical process needs to be considered and ultimately combined into a total plan.

#### Treatment options for business processes

Treatment	Description
Alter current arrangements	Current processes and resources can be changed as a cost-effective solution.
Alter current processes	Service providers may be willing to give a guaranteed level of service in a disaster situation to enable restoration of resources at a reasonable cost.

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### Steps to Business Continuity Planning

Characteristic	Basic aspects of a Business Continuity Plan	Mature aspects of a Business Continuity Plan
Business Continuity Plan is in place	<ul style="list-style-type: none"> <li>Accountability and Responsibility for key areas have been defined.</li> <li>Clearly defined and approved management processes.</li> <li>Business impact analysis.</li> <li>Roles, tasks and responsibilities of internal and external providers has been determined.</li> <li>The plan links with the Risk Management Framework.</li> <li>There is a policy for testing and exercising business continuity.</li> </ul>	<ul style="list-style-type: none"> <li>A register of changes to the business continuity plan is kept.</li> <li>The plan is periodically updated to reflect and respond to changes in East Waste and to customer requirements.</li> </ul>
Training and awareness of business continuity has been conducted	<ul style="list-style-type: none"> <li>Response recovery team members have received training.</li> <li>All staff received training or were required to attend an awareness session at the time when the initial plan was implemented.</li> </ul>	<ul style="list-style-type: none"> <li>Induction process require attendance at an awareness session on risk management, incorporating business continuity.</li> <li>Staff are trained on business continuity plans and IT disaster recovery plans.</li> <li>There is an awareness program to advise staff of the board nature of business continuity.</li> </ul>
Risk assessments have been conducted	<ul style="list-style-type: none"> <li>A risk assessment for each core business function and IT service has been undertaken to identify the assets, threats, vulnerabilities and controls in place for each activity.</li> </ul>	<ul style="list-style-type: none"> <li>There is a direct link between East Waste's risk management and business continuity management processes and activities.</li> <li>Disruption scenarios, to which East Waste may be vulnerable, including the effect of interdependencies with third parties/suppliers, have been identified and prioritised.</li> <li>East Waste has scheduled recurring risk assessments and business impact analysis.</li> </ul>
A business Impact analysis has been conducted	<ul style="list-style-type: none"> <li>Recovery objectives and priorities for business and technology have been established and there is justification for each.</li> <li>Interdependencies of processes have been identified.</li> </ul>	<ul style="list-style-type: none"> <li>Critical resources, facilities, equipment, vital records, data and infrastructure have been identified and catalogued.</li> </ul>
Preparatory controls have been implemented	<ul style="list-style-type: none"> <li>The continuity strategies that been meet East Waste's needs have been implemented based on a cost-benefit analysis.</li> </ul>	<ul style="list-style-type: none"> <li>Costs and benefits are re-assessed on a periodic basis.</li> </ul>
The business continuity plan has been documented and endorsed	<ul style="list-style-type: none"> <li>The plan is documented and endorsed.</li> <li>The plan is up-to-date.</li> </ul>	<ul style="list-style-type: none"> <li>Response, recovery and restoration procedures are documented, approved by senior management and communicated to staff.</li> <li>There is pandemic planning.</li> <li>There is IT disaster recovery planning.</li> </ul>

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Characteristic	Basic aspects of a Business Continuity Plan	Mature aspects of a Business Continuity Plan
Business continuity testing and exercises have been conducted	<ul style="list-style-type: none"> <li>Testing and exercising of certain scenarios has occurred.</li> </ul>	<ul style="list-style-type: none"> <li>Validation and regular testing of continuity strategies occurs.</li> <li>The testing and exercising for recovery are documented.</li> <li>Critical business processes have been tested and exercised.</li> <li>There has been a range of test and exercise options used and actual data or real-world conditions have been used.</li> <li>Plans are updated and revised following testing and exercising.</li> </ul>
Business continuity is monitored	<ul style="list-style-type: none"> <li>An internal audit or external review of the implemented framework has been undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with the business continuity plan is periodically reviewed.</li> </ul>

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## Business Impact Analysis

A business impact analysis determines and documents the impact of a business disruption event to each critical business process. It considers disruptions to the activities and resources that support the critical business process. The following issues have been assessed for the identified critical business processes and are included in the Business Continuity Kit.

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### Maximum tolerable period of disruption

How long can the critical business process survive without the activity and/or resource before it will have a detrimental effect?

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### Recovery time objective

The recovery time objective is the target ~~time period~~time set for resumption of product or service delivery, recovery of an IT system or application, or resumption of performance of an activity after a business disruption.

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If recovery time is greater than the maximum tolerable period of disruption, then a manual or alternative process needs to be designed/organised.

Where critical business processes are outsourced, or East Waste relies on activities that have been outsourced, the maximum tolerable period of disruption and recovery time of the outsourced process also needs to be assessed.

### The recovery point objective

This is particularly relevant for IT and is where it is determined as to what point of time prior to the business disruption, should the data be restored to, (i.e. one hour earlier, one day or one week). This determines that backup strategy and also will impact on the recovery period that may involve re-inputting data that has been lost since the recovery point.

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### Disruption Scenarios

The scenarios that may create disruption need to be identified and assessed as to the effect on operations. Business continuity is concerned with the actions that need to occur after an event in order to get back to business, however considering what those scenarios might be ~~might~~ may help with continuity preparations and responses.

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### Disruption Scenarios

The following scenarios have been considered that could lead to a Business Interruption Event:

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- Natural hazards
  - Fire~~.~~
  - Flood~~.~~
  - ~~Pandemic; and~~
  - ~~A Storm Event.~~
- Generic
  - Loss of building~~.~~
  - Loss of people~~.~~
  - Loss of IT systems~~.~~
  - Loss of telecommunications; ~~and~~

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- Loss of fuel, water, electricity, gas, sewage.

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### **Business Continuity assurance from external suppliers**

Critical external suppliers have been identified and contracts will be reviewed to include any special arrangements required in a Business Interruption Event BIE. -Critical suppliers are detailed in the Business Continuity Kit.

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## Business Continuity Management Roles and Responsibilities

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Role	Managing the business continuity program	In the event of a business disruption
Committee responsible for overseeing business continuity management	<ul style="list-style-type: none"><li>• Ensure governance framework supports business continuity.</li><li>• Ensure approach to risk management supports strategic goals of the entity.</li><li>• Provide overall direction and drive for the business continuity program.</li><li>• Monitor performance and compliance of business continuity program.</li><li>• Establish milestones and performance reporting requirements.</li><li>• Authorise new versions of the business continuity plan.</li><li>• Approve the test and exercise schedule and scenarios.</li><li>• Approve budget to support business continuity activities.</li><li>• Provide resources to ensure business continuity management is an ongoing program, integrated with other corporate management processes.</li></ul>	Review post incident / exercise review reports, and impact of any proposed revisions of the business continuity plan.

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Role	Managing the business continuity program	In the event of a business disruption
Executive Officer	<ul style="list-style-type: none"> <li>• Sponsor the business continuity program.</li> <li>• Maintain awareness of business continuity management, and receive business continuity management training.</li> <li>• Contribute to business continuity awareness raising in the entity.</li> <li>• Participate in business continuity testing and exercising.</li> <li>• Appropriately resource the business continuity function.</li> <li>• Endorse a business continuity management policy.</li> <li>• Endorse key business continuity documents such as the business impact analysis and business continuity plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Brief Chair and Board on the disruption, expected consequences and recovery timeframe.</li> <li>• Provide a focal point for the entity to ensure the public and media receive correct non-contradictory, information.</li> <li>• Ensure staff and stakeholders are made aware of the problems.</li> <li>• Ensure the Recovery Coordinator and Recovery Teams have the resources and support necessary to do their job.</li> </ul>
Incident Manager	<ul style="list-style-type: none"> <li>• Contribute to the development and review of the business impact analysis.</li> <li>• Contribute to the development and update of the <del>business continuity plan</del>BCP – particularly for contact details.</li> <li>• Participate in tests and exercises of the <del>business continuity plan</del>BCP.</li> <li>• Receive training on their specific role, as well as good practice in business continuity management generally.</li> </ul>	<ul style="list-style-type: none"> <li>• Decision to declare a business disruption event.</li> <li>• Decision to activate the incident management plan.</li> <li>• Decision to activate the business continuity plan.</li> <li>• Activate the command center.</li> <li>• Lead and project manage the incident management team.</li> <li>• Determine the recovery strategy for the given situation.</li> </ul>
Emergency Response Manager	<ul style="list-style-type: none"> <li>• Contribute to the development and review of the business impact analysis.</li> <li>• Contribute to the development and update of the business continuity plan – particularly for contact details.</li> <li>• Participate in tests and exercises of the <del>business continuity plan</del>BCP.</li> <li>• Receive training on their specific role, as well as good practice in business continuity management generally.</li> </ul>	<ul style="list-style-type: none"> <li>• Assess the extent of damage to building, facilities and equipment</li> <li>• Report to the Incident Manager (and Executive Officer and /or board if necessary).</li> <li>• Decision to activate the emergency response management plan.</li> <li>• Lead and project manage the emergency response management team.</li> </ul>

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Role	Managing the business continuity program	In the event of a business disruption
Recovery Coordinator / Business Continuity Custodian.	<ul style="list-style-type: none"> <li>• Day-to-day implementation and coordination of business continuity management tasks.</li> <li>• Contribute to the development and review of the business impact analysis.</li> <li>• Prepare and update the <a href="#">business continuity plan BCP</a>.</li> <li>• Maintain the business continuity kit.</li> <li>• Schedule and conduct tests and exercises of the <a href="#">business continuity plan BCP</a>.</li> <li>• Promote an awareness of business continuity management, and schedule business continuity management training.</li> <li>• Receive training on their specific role, as well as good practice in business continuity management generally.</li> <li>• Update the business continuity plan for lessons learned from all disruption events.</li> </ul>	<ul style="list-style-type: none"> <li>• Decision to declare a business disruption event.</li> <li>• Lead and project manage the recovery team.</li> <li>• Assess the extent of damage to building, facilities and equipment and report to the Incident Manager (and Executive Officer and/or board if necessary).</li> <li>• Contact necessary staff required for the recovery.</li> <li>• Assist in establishing the recovery site, if applicable.</li> <li>• Direct, coordinate and monitor all recovery operations.</li> <li>• Convene recovery status meetings with the executive.</li> <li>• Schedule subsequent recovery status meetings.</li> <li>• Liaise with real estate agent, if applicable.</li> <li>• Contact insurance assessors to determine their requirements and coordinate their on-going liaison with all recovery teams.</li> <li>• Minimise further losses and salvage recoverable resources.</li> <li>• Provide assurance and information updates to staff not involved in the recovery effort.</li> <li>• Prepare the recovery site.</li> <li>• Coordinate the post incident review.</li> </ul>

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Role	Managing the business continuity program	In the event of a business disruption
Support area and business unit recovery teams	<ul style="list-style-type: none"> <li>• Contribute to the business impact analysis.</li> <li>• Contribute to the development and update of the business continuity plan – particularly for contact details.</li> <li>• Prepare the recovery plan for their support area or business unit.</li> <li>• Participate in tests and exercises of the <del>business continuity plan</del> BCP.</li> <li>• Maintain an awareness of business continuity management, and participate in business continuity management training.</li> </ul>	<ul style="list-style-type: none"> <li>• Contact the staff required for the recovery team.</li> <li>• Convene status meeting with team members.</li> <li>• Assist with disaster assessment as required.</li> <li>• Continually assess and address the entity's needs (for the support area or business units' area of expertise).</li> <li>• Determine requirements and coordinate acquisition of equipment, furniture, stationery and communications resources necessary for recovery.</li> <li>• Provide regular updates to the Recovery Coordinator.</li> <li>• Liaise with other recovery teams.</li> </ul>

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Audience	Program for business continuity training and raising awareness subjects
Executive / board	<ul style="list-style-type: none"> <li>• Business continuity program management.</li> <li>• Business continuity standards, guidelines and legislation.</li> <li>• Incident management.</li> <li>• Key features of the entity's business continuity management program.</li> </ul>
Business continuity custodians	<ul style="list-style-type: none"> <li>• Business continuity program management.</li> <li>• Business continuity standards, guidelines and legislation. Conducting a business impact analysis.</li> <li>• Developing and maintaining a business continuity plan. Running tests and exercises.</li> <li>• Key features of the entity's business continuity management program.</li> </ul>
Staff with a business continuity role	<ul style="list-style-type: none"> <li>• Skills necessary to undertake their business continuity role. For example:</li> <li>• Communications training;</li> <li>• Managing teams;</li> <li>• Operating in stressful situations; and negotiation skills; and;</li> <li>• Key features of the entity's business continuity management program.</li> </ul>
Staff	<ul style="list-style-type: none"> <li>• Introduction to business continuity management.</li> <li>• Key features of the entity's business continuity management program.</li> </ul>
Stakeholders	<ul style="list-style-type: none"> <li>• Key features of the entity's business continuity management program.</li> </ul>
Interdependent entities	<ul style="list-style-type: none"> <li>• Key features of the entity's business continuity management program.</li> </ul>

Reviewed November 2021  
Next review due November 2024

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## Bibliography

Australian National Audit Office, 2009. *Business Continuity Management - Building resilience in public sector entities, Better Practice Guide*, s.l.: s.n.

Standards Australia, 2009. *AS/NZS ISO 31000:2009*. Sydney: Standards Australia.

## 8.4: POLICY REVIEW SCHEDULE

**REPORT AUTHOR:** Manager, Business Services

**ATTACHMENTS:** A: Policy Review Schedule

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a list of East Waste Policies and schedule for their review.

### **Background**

To assist in ensuring that East Waste's Corporate Policies and Terms of Reference are current and up to date a Policy Schedule was previously implemented.

The presentation of the Policy Review Schedule will become an annual standing Agenda Item.

### **Report**

The Policy schedule has been updated to include those policies and Terms of Reference incorporated into this meeting agenda.

On the assumption all Policies presented will be adopted by the Board, only the Behaviour Standards Policy will be outstanding, which will be presented to the February Audit & Risk Meeting.

### **RECOMMENDATION**

**That the Committee notes and receive the Report and the Policy Review Schedule, as presented in Attachment A.**

## Policies & Terms of Reference Register



Policy / Terms of Reference	Key Function	Date Adopted	Review Date	Responsible Officer
<a href="#">Behavior Standards Policy</a>	Human Resources	May-18	May-20	Manager, Corporate Service
<a href="#">Schedule of Sub-Delegations</a>	Governance	Jun-20	Jun-22	General Manager
<a href="#">Procurement Policy</a>	Finance	Jun-20	Jun-22	Manager, Business Services
<a href="#">Sale &amp; Disposal of Assets Policy</a>	Finance	Jun-20	Jun-22	General Manager
<a href="#">Risk Management Policy</a>	Governance	Sep-20	Nov-22	General Manager
<a href="#">Prudential Management Policy</a>	Governance	Sep-20	Nov-22	Manager, Business Services
<a href="#">Complaint Handling Policy</a>	Governance	Sep-20	Nov-22	Manager, Business Services
<a href="#">Unreasonable Complainant Conduct Policy</a>	Governance	Nov-20	Nov-22	Manager, Business Services
<a href="#">Budget Framework Policy</a>	Finance	Apr-21	Apr-23	Manager, Business Services
<a href="#">Member Council Rebate &amp; Distribution Policy</a>	Finance	Apr-21	Apr-23	Manager, Business Services
<a href="#">Treasury Management Policy</a>	Finance	Apr-21	Apr-23	Manager, Business Services
<a href="#">Bullying &amp; Harassment Policy</a>	Human Resources	Mar-21	Mar-24	Manager, Business Services
<a href="#">National Competition Policy Statement</a>	Finance	Apr-21	Apr-24	Manager, Business Services
<a href="#">Sexual Harassment Policy</a>	Human Resources	Sep-21	Sep-24	General Manager
<a href="#">Policy Development Policy</a>	Human Resources	Nov-21	Nov-24	Manager, Business Services

Terms of Reference				
<a href="#">Audit &amp; Risk Committee Terms of Reference</a>	Governance	Nov-21	Nov-24	Manager, Corporate Services
<a href="#">General Manager Performance Review Committee Terms of Reference</a>	Governance	Nov-21	Nov-24	Manager, Business Services
<a href="#">Independent Chairperson Appointment Committee - Terms of Reference</a>	Governance	Sep-19		General Manager



## 8.5: DRAFT POLICY DEVELOPMENT POLICY

**REPORT AUTHOR:** Manager, Business Services  
**ATTACHMENTS:** A: Draft Policy Development Policy

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a draft copy of the newly developed Policy Development Policy (the Policy) for review and recommendation.

### **Background**

When discussing East Waste Policies across a number of recent Audit & Risk Management Committee meetings, the need for a Policy Development Policy, to add rigour and structure to the process has been identified.

### **Report**

The draft policy has been based on the Institute of Community Directors Australia's Policy template and adapted to suit the operational needs of East Waste. The Policy aims to provide clarity regarding the process utilised to implement a new Policy, what should be included in the Policy and when a Policy should be reviewed.

### **RECOMMENDATION**

**The Committee recommend that the draft *Policy Development Policy* is presented to the East Waste Board for endorsement.**

<b>POLICY DEVELOPMENT POLICY</b>	
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<b>Type</b>	Governance
<b>Category</b>	Governance
<b>First Issued/Adopted</b>	November 2021
<b>Minutes Reference</b>	
<b>Review Period</b>	36 months
<b>Last Reviewed</b>	N/A
<b>Next Review</b>	November 2024
<b>Applicable Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1999</i></li> <li>• <i>State Records Act 1997</i></li> </ul>
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• All Policies</li> </ul>
<b>Consultation Undertaken</b>	<ul style="list-style-type: none"> <li>• Audit &amp; Risk Committee</li> </ul>
<b>Responsible Officer</b>	Manager Business Services

SIGNED: .....  
General Manager

Date: \_\_\_/\_\_\_/\_\_\_

.....  
Chairperson

Date: \_\_\_/\_\_\_/\_\_\_

### Introduction

East Waste requires a clear process for creating, passing, and implementing policy. Policy documents should be based on a uniform template, and policy documents should be gathered together and recorded in East Waste's Policy Schedule.

### Purpose

The purpose of this policy is to:

- provide a template for all policies and procedures.
- outline a standard procedure for policies and procedures to be taken from their first drafts through to implementation; and to
- illustrate a typical usage of the template.

### Policy

Fundamental decisions as to the vision, objectives and strategies of the organisation must be approved by the Board prior to being adopted.

Policies, which are designed to serve the organisation's vision by ensuring that day-to-day decisions are informed by deliberation and consultation, must be approved by the Board. The Board may delegate to the General Manager responsibility for designing procedures to put those policies into effect.

Corporate Policies, which lay down broad principles, should be differentiated from Administrative Policies and Procedures, which provide mechanisms appropriate to particular circumstances.

### Responsibilities

The General Manager is responsible for ensuring that proper procedures for the development, consultation, acceptance, recording, and implementation of every policy are designed and adhered to.

### Procedures

The Board, a Committee, a general meeting, or the General Manager, will identify the need for a policy document, or for the revision of an existing policy document.

The General Manager will delegate drafting and the author(s) will consult with interested members, relevant staff, and persons knowledgeable in the area. Consultation may take the form of casual conversations, formal meetings, policy development workshops, email forums, etc.

The draft policy should be circulated to interested parties and relevant stakeholders for comment.

The author(s) will consider any feedback received and will create a final draft for presentation to the Audit & Risk Committee and following feedback and recommendation then presentation to the Board.

The Board will accept the policy, defer it, reject it, return it to the authors for amendment, or assign revision to other authors.

Following acceptance by the Board the policy shall be added to the Policy Schedule as Version 1. All subsequent revisions shall be numbered accordingly (e.g. Version 2, Version 3, etc).

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## Policy and Procedure Format

All policy documents will adhere to a standard policy template (which this document is based on), and so will have the same “look and feel” as this document.

The format of the policy template will include the following headings:

<b>Heading</b>	<b>Definition</b>
Policy Number	Each policy document has a unique number, starting at 001. This is referred to in the contents page of the policy schedule.
Policy Name	A few unique words that describe the general subject matter of the policy.
Version Number	When a policy is being drafted, its Version Number is “000”. Once endorsed by the Board, it becomes version “001”. Following scheduled or other revisions, this number increases by one.
Drafted By	The person, group of people, subcommittee, etc., that drafted the policy. These people may be contacted prior to any future changes being made, or regarding any confusion around the original intent of the policy.
Passed by the Board on:	This is the date that the Board endorsed the policy.
Responsible Person:	Person or position responsible for day-to-day implementation of policy.
Scheduled review date:	The date set by the Board for review of the policy. Reviews must follow the same development procedure as new policy proposals.
Introduction	Background information on why this policy exists.
Purpose	What this policy seeks to achieve.
Policy	The actual content of the policy; the details of the position held by the organisation on the topic. A policy document may include several sub-headings under this topic, depending on the complexity of the policy matter.
Responsibilities	Identifies who is responsible for adhering to, implementing, and monitoring relevant aspects of the policy or procedure.
Procedures	Outlines how the policy is implemented on a day-to-day basis.
Related Documents	Identifies any other documents that are relevant or important to the policy. While all written material within the organisation is related in one way or another, there will often be particular documents that should be read in conjunction with the policy. Examples may include other policies, Acts of Parliament (or sections of relevant text), the organisation’s charter (or sections of relevant text), etc. Not all policy documents will have Related Documents.
Authorisation	Certifies that the policy has been through all necessary procedures and is now in force.

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## Authorisation

All adopted policies must include the following:

- Signature of the Board Chairperson.
- Signature of the General Manager.
- Date approved / adopted by the Board.

## Related Document(s)

- All Policies.

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## 8.6: AUDIT & RISK MANAGEMENT COMMITTEE TERMS OF REFERENCE REVIEW

**REPORT AUTHOR:** Manager, Business Services

**ATTACHMENTS:** A: Terms of Reference – Audit & Risk Management Committee (Draft)  
B: Terms of Reference – Audit & Risk Management Committee (Current)

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a copy of the draft Terms of Reference for the Audit & Risk Management Committee for review and recommendation prior to being presented to the Board.

### **Background**

The Eastern Waste Management Authority (East Waste) Audit and Risk Management Committee is established under *Section 41 of the Local Government Act 1999* (the Act), for the purposes of Section 126 of the Act.

The Terms of Reference of the East Waste Audit and Risk Management Committee are required to be reviewed at least once every three years, or where legislative changes dictate amendments. The Terms of Reference were last fully reviewed in November 2017, with minor amendments around independent membership made in 2019.

### **Report**

In reviewing the Terms of Reference, it was identified they could be strengthened through the inclusion of several additional sections including, but not limited to, Sitting Fees, Reimbursement of Expenses and Voting.

Given that there were significant changes required to the existing Terms of Reference, a decision was made to re-write the Terms of Reference using an updated format/style (refer Attachment A).

The Draft Terms of Reference have been based on a member Council's Terms of Reference for their Audit & Risk Management Committee and will help to provide further clarity to Administration, the Board and the Committee.

For reference, a copy of the current terms of reference have been included with this report (Attachment B)

### **RECOMMENDATION**

**The Committee recommend that the Terms of Reference as presented in Attachment A are presented to the East Waste Board for endorsement.**



## 1. Establishment

- 1.1 The Audit & Risk Management Committee is established under sections 41 and 126 of the *Local Government Act 1999* (the Act) and in compliance with Regulation 17 of the *Local Government (Financial Management) Regulations 2011*.
- 1.2 The Committee is established to provide independent assurance and advice to the Board on accounting, financial management, internal controls, risk management and governance matters.

## 2. Objectives

- 2.1 The Committee is established to:
  - 2.1.1 Review financial statements to ensure that they present fairly, the state of affairs of East Waste.
  - 2.1.2 Propose and provide information relevant to reviewing East Waste's strategic management plans or annual business plans.
  - 2.1.3 Monitor the responsiveness of East Waste to recommendations for improvements based on previous audits and risk assessments.
  - 2.1.4 Propose and review the exercise of powers under section 130A of the Act.
  - 2.1.5 Liaise with East Waste's external auditor.
  - 2.1.6 Review the adequacy of the accounting, internal control, reporting and other financial management systems and processes of East Waste.
  - 2.1.7 Provide oversight of planning and scoping of the internal audit work plan and review and comment on reports provided by the person primarily responsible for the internal audit function.
  - 2.1.8 Recommend to East Waste the appointment of and oversee any external auditor appointed by East Waste.
  - 2.1.9 Review and evaluate the effectiveness of policies, systems and procedures established and maintained to identify, assess, monitor, manage and review strategic, operational risks.
  - 2.1.10 Review any reports prepared for the Board under section 48(1) of the Act (Prudential requirements for certain activities).



### 3. Role of the Committee

#### 3.1 Financial Reporting and Sustainability

- 3.1.1 Review the Annual Report including the Annual Financial Statements and application of accounting policies and provide an opinion to the Board on whether they present fairly the state of affairs of East Waste and where appropriate, recommend the approval of any material to be included in the Annual Report concerning internal controls and risk management.
- 3.1.2 Review and make recommendations to the Board regarding the assumptions, financial ratios and financial targets in the Long Term Financial Plan.
- 3.1.3 Provide commentary and advice on the financial sustainability of East Waste and any risks concerning, and as part of the adoption of the Strategic Plans, Long Term Financial Plan, Annual Budget and periodic Budget Reviews.
- 3.1.4 Review and provide recommendations and comments to the Board on East Waste's Asset Management Plans.
- 3.1.5 Review and make recommendations to the Board regarding any other significant financial, accounting, and reporting issues deemed necessary by the Committee, East Waste or Administration.
- 3.1.6 Consider and provide comment on the financial and risk-related issues associated with any business referred to it by the Board for such comment.

#### 3.2 Internal Controls and Risk Management

- 3.2.1 Monitor, review and evaluate the effectiveness of policies, systems and procedures established and maintained to identify, assess, monitor, manage and review financial and strategic operational risks.
- 3.2.2 Monitor and review the effectiveness of East Waste's internal control environment.
- 3.2.3 Review any reports prepared for the Board under section 48(1) of the Act (Prudential requirements for certain activities).
- 3.2.4 Monitor and review the effectiveness of East Waste's internal audit function.

#### 3.3 Internal Audit

- 3.3.1 Provide oversight of planning and scoping of the internal audit work plan and review and comment on reports provided by the person primarily responsible for the internal audit function.
- 3.3.2 Monitor the responsiveness to recommendations for improvements based on previous audits and risk assessments, including those raised by East Waste's auditor.

### 3.4 External Audit

- 3.4.1 Oversee East Waste's engagement with the external auditor including but not limited to:
  - 3.4.2 assessing the external auditor's qualifications and expertise.
  - 3.4.3 recommending the approval of the external auditor's remuneration and terms of engagement to East Waste.
  - 3.4.4 assessing the external auditor's independence and objectivity and monitoring the external auditor's compliance with legislative requirements on the rotation of audit partners.
  - 3.4.5 consider and make recommendations to the Board concerning the appointment, reappointment and removal of the East Waste's external auditor.
  - 3.4.6 If an auditor resigns, the Committee shall investigate the issues leading to this and decide whether any action is required.
  - 3.4.7 Liaise with East Waste's external auditor.
  - 3.4.8 Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement as well as the internal audit plan.
  - 3.4.9 Review the findings of the audit, paying particular attention to any accounting and audit judgements, any adjusted or unadjusted differences and any other significant issues arising from the audit.
  - 3.4.10 Review any representation letter requested by the external auditor before they are signed by management; and
  - 3.4.11 Review Administration's response to reviews, recommendations and audit letters provided by the External Auditor.

### 4. Membership

- 4.1 Members of the Committee shall be appointing by the Board of East Waste.
- 4.2 The Committee shall consist of five (5) members, three (3) of whom shall be members of the Board (one of whom is the Chairperson of the Board) and two (2) members who are not a member of the board (independent members).
- 4.3 One (1) independent member of the Committee must have financial experience relevant to the functions of the Committee as determined by the Board.
- 4.4 One (1) independent member of the Committee must have experience in the field of legal practitioner and / or risk management and/or governance as determined by the Board.

- 4.5 Expressions of Interest for the Independent Members shall be sought by the Board and be for a maximum term of two (2) years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to the Board's Elected Members, hence their terms will expire in alternate years.
- 4.6 Independent Members are eligible for reappointment at the expiration of their term of office at the sole discretion of the Board. An Independent Member may be reappointed for a maximum of three (3) terms. An Independent Member who has served three (3) terms is eligible to reapply two (2) years after the expiry of their three (3) terms.
- 4.7 Should the Board identify a need to retain the service of an Independent Member at the expiry of their third term, then the Board may, at their sole discretion, reappoint an Independent Member for a further final period not exceeding one (1) year.
- 4.8 Board Members are appointed to the Committee annually (typically in November).
- 4.8 The Chairperson of the Committee shall be the Chairperson of the Board.

## **5. Voting**

- 5.1 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision. The Chairperson has a deliberative vote but does not, in the event of an equality of votes, have a casting vote.
- 5.2 All decisions of the Committee shall be made based on the majority decision of the members present.
- 5.3 In the event of a tied vote where the members have not decided, the question is neither carried nor lost.
- 5.4 If a vote is tied, the matter may be referred back to the Committee (with or without additional information to inform the debate and decision making) or referred to the Board for a resolution.

## **6. Conflict of Interest**

- 6.1 Members of the Committee must comply with the conduct and conflict of interest provisions of the Act. In particular, sections 62, 63, 64, 73 and 74 must be observed.

## **7. Register of Interests**

- 7.1 All independent members on section 41 Committees need to complete a Register of Interest in accordance with chapter 5 part 4 – Division 2 of the Local Government Act 1999.

## **8. Meetings**

- 8.1 The Committee shall meet at least quarterly prior to Board meetings.
- 8.2 Ordinary Meetings of the Committee will be held at times and places determined by the Committee.

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- 8.3 Special Meetings of the Committee may be called in accordance with the Act.
- 8.4 Notice of each meeting confirming the venue, time and date together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, the board and any observers. No later than three (3) clear days before the date of the meeting. Supporting Papers shall be sent to Committee members and other attendees as appropriate at the same time.
- 8.5 Members of the public can attend Committee meetings unless prohibited by the resolution of the Committee under the confidentiality provisions of section 90 of the Act.
- 8.6 Minutes of the Committee meetings shall be circulated within five (5) days after the meeting to all members of the committee.
- 8.7 East Waste's General Manager may direct employees or contractors to attend any meeting as observers or be responsible for preparing papers for the Committee.
- 8.8 East Waste's auditor may be invited to attend meetings of the Committee but is required to attend meetings considering the draft annual financial report and results of the external audit.
- 8.9 Part 2 of Local Government (Procedures at Meetings) Regulations 2013 apply to his Committee.
- 8.10 A member of a Committee can participate in the meeting via electronic means provided advance notice has been provided and facilities are available.

## **9. Quorum**

- 9.1 The quorum necessary for the transaction of business shall be three (3) members. A duly convened meetings of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

## **10. Administrative Resources**

- 10.1 The General Manager shall provide administrative resources to the Committee to enable it to adequately carry out its functions.

## **11. Sitting Fees**

- 11.1 Independent Members (excluding the Chairperson) of the Committee, when attending committee Meetings will be paid a sitting fee for their attendance.
- 11.2 The sitting fee will be determined by the Board every four (4) years.
- 11.3 Sitting fees are paid following each meeting.

## **12. Reimbursement of Expenses**

- 12.1 Reimbursement of Expenses incurred by members of the Committee will be paid in accordance with East Waste's reimbursement process.

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## 12 Conduct and Disclosure of Interests

- 13.1 Members of the Committee must comply with the conduct and conflict of interest provisions of the Act. In particular, Sections 62,63,64,73 and 74 must be observed.

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**Terms of Reference – Eastern Waste Management Authority Audit and Risk Management Committee**

<p>Establishment</p>	<p>The Eastern Waste Management Authority (East Waste) Audit and Risk Management Committee is established under Section 41 of the Local Government Act 1999 (the Act), for the purposes of Section 126 of the Act.</p>
<p>Title</p>	<p>The East Waste Audit and Risk Management Committee shall be known as the “Committee”.</p>
<p>Purpose</p>	<p>The principal objective of the Committee is to add value to, and improve, East Waste’s operations, by assisting the Board to meet its legislative and probity requirements as required by the Local Government Act 1999 (as amended) and other relevant Legislation, Standards and Codes.</p> <p>The Committee will assist the Board in monitoring the accounting, audit, legislative compliance, financial and strategic risk management, governance and reporting practices.</p> <p>The primary objective of the Committee is to assist East Waste in the effective conduct of its responsibilities for financial reporting, management of risk and maintaining a reliable system of internal controls.</p> <p>The Committee is established to assist the co-ordination of relevant activities of management and with the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.</p> <p>As part of East Waste’s Governance obligations to its Constituent Councils, the Board has constituted a Committee to facilitate:</p> <ul style="list-style-type: none"> <li>▪ the enhancement of the credibility and objectivity of internal and external financial reporting;</li> <li>▪ effective management of financial and other risks and the protection of East Waste’s assets;</li> <li>▪ compliance with laws and regulations as well as use of best practice and Governance guidelines;</li> <li>▪ the effectiveness of the external audit;</li> <li>▪ the provision of an effective means of communication between the external auditor, management and the Board.</li> </ul> <p><b>Financial Reporting</b></p> <p>The Committee shall monitor the integrity of the financial statements of East Waste, including its Annual Report, reviewing significant financial reporting issues and judgements which they contain.</p> <p>The Committee shall review and make recommendations to the Board (where necessary) regarding:</p> <ul style="list-style-type: none"> <li>▪ the assumptions, indexation, and indicators used in the preparation of financial statements;</li> <li>▪ the consistency of, and/or any changes to, accounting policies;</li> <li>▪ the methods used to account for significant or unusual transactions where different approaches are possible;</li> <li>▪ whether East Waste has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;</li> <li>▪ the clarity of disclosure in East Waste’s financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management).</li> </ul>

## Terms of Reference – Eastern Waste Management Authority Audit and Risk Management Committee

	<p><b>External Audit</b> The Committee shall:</p> <ul style="list-style-type: none"><li>▪ develop and implement a policy on the supply of non-audit services by the external auditor, taking into the account any relevant ethical guidance on the matter;</li><li>▪ review the terms appointment of the external auditor;</li><li>▪ consider and make recommendations to the Board, in relation to the appointment, re-appointment and removal of East Waste’s external auditor;</li><li>▪ oversee East Waste’s relationship with the external auditor at the direction of the Board, but not limited to:<ul style="list-style-type: none"><li>○ recommending the approval of the external auditor’s remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;</li><li>○ recommending the approval of the external auditor’s terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit;</li><li>○ assessing the external auditor’s independence and objectivity taking into account relevant professional and regulatory requirements and the extent of East Waste’s relationship with the auditor, including the provision of any non-audit services;</li><li>○ satisfying itself that there are not relationships (such as family, employment, investment, financial or business) between the external auditor and East Waste (other than the ordinary course of business);</li><li>○ monitoring the external auditor’s compliance with legislative requirements on the rotation of audit partners;</li><li>○ assessing the external auditor’s qualifications, expertise and resources and the effectiveness of the audit process.</li></ul></li><li>▪ review and make recommendation on the annual audit plan, which is to define the dates and timing for the interim and full audit, and the bringing forward of any recommendation to the Committee and Board;</li><li>▪ review any representation letter requested by the external auditor before they were signed by management; and</li><li>▪ review the management letter and management’s response to the external auditors findings and recommendations.</li></ul> <p><b>Internal Controls and Risk Management</b> The Committee shall review and make recommendations to the Board (where necessary) regarding:</p> <ul style="list-style-type: none"><li>▪ the application, updating (where relevant) and continued compliance with East Waste’s Risk Management Framework;</li><li>▪ the effectiveness of East Waste’s internal controls;</li><li>▪ the approval, where appropriate, of statements to be included in the Annual Report concerning internal controls and risk management; and</li><li>▪ the process and probity of tenders and significant transactions exceeding \$100,000 or as directed by the Board.</li></ul> <p><b>Whistleblowing/Fraud and Corruption Monitoring</b> The Committee shall review East Waste’s arrangements for its employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters.</p>
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**Terms of Reference – Eastern Waste Management Authority Audit and Risk Management Committee**

	<p><b>Reporting Requirements</b></p> <p>The Committee shall make recommendations to the Board as it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.</p> <p>The Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Board.</p> <p>The Committee shall report annually to the Board summarising the activities of the Committee during the previous financial year.</p>
<p>Membership</p>	<p>Members of the Committee shall be appointed by the Board of East Waste. The Committee shall consist of five members, three of whom shall be Members of the Board (one of whom is the Chairperson) and two members who are not a member of the Board (independent members).</p> <p>One independent member of the Committee must have financial experience relevant to the functions of the Committee as determined by the Board.</p> <p>One independent member of the Committee must have experience in the field of legal practitioner and/or risk management and/or governance as determined by the Board.</p> <p>Expressions of Interest for the Independent Members shall be sought by the Board and be for a maximum term of two (2) years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to the Board’s Elected Members, hence their terms will expire in alternate years.</p> <p>Independent Members are eligible for reappointment at the expiration of their term of office at the sole discretion of the Board. An Independent Member may be reappointed for a maximum of three (3) terms. An Independent Member who has served three (3) terms is eligible to reapply two (2) years after the expiry of their three (3) terms.</p> <p>Notwithstanding the above paragraph, should the Board identify a need to retain the service of Independent Member at the expiry of their third term, then the Board may, at their sole discretion, reappoint an Independent Member for a further final period not exceeding one (1) year.</p> <p>Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision. The Chairperson has a deliberative vote but does not, in the event of an equality of votes, have a casting vote.</p> <p>The General Manager and other East Waste employees as directed by the General Manager may attend any meeting as observers or be responsible for preparing papers for the Committee.</p> <p>East Waste’s auditor may be invited to attend meetings of the Committee but must attend meetings considering the draft annual financial report and results of the external audit.</p>



**Terms of Reference – Eastern Waste Management Authority Audit and Risk Management Committee**

	Board Member appointments to the Committee shall be for a period of twelve months from the date of appointment, and are eligible for reappointment. Board Member nominations and appointments are to be made by the East Waste Board at their final meeting of each calendar year.
Chairperson	The Chairperson of the Committee shall be the Chairperson of the Board.
Conflict of Interest	Applies to all Committee members as per Local Government Act 1999 Part 4 Division 3.
Register of Interest	Division 2 of Part 4, Chapter 5 of the Local Government Act 1999 applies to the members of the Committee.
Frequency of Meetings	The Committee shall meet at least quarterly and precede Board meetings.
Notice of Meetings	<p>Ordinary meetings of the Committee will be held at times and places determined by the Committee. A special meetings of the Committee may be called in accordance with the Act.</p> <p>Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, the Board, and any observers, no later than 3 clear days before the date of the meeting. Supporting papers shall be sent to Committee members (and to other attendees as appropriate) and the Board at the same time.</p> <p>In accordance with Section 90(1) of the Act, the proceedings of Committee meetings shall be open to the public.</p>
Procedures at Meeting	<p>As per Local Government (Procedures of Meetings) Regulations 2000 Parts 3 and 4.</p> <p>All business put to the Committee will be brought forward to a meeting by motion, recommendation, staff report or other business.</p> <p>Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for a decision.</p> <p>The Chairperson of the meeting will have a deliberative vote only.</p> <p>The Chairperson shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted and that the minutes otherwise comply with the requirements of the Local Government (Procedure at Meetings) Regulations 2000.</p> <p>Minutes of Committee meetings shall be circulated within 5 days after a meeting to all members of the Committee and will be forwarded to the subsequent ordinary meeting of the Board.</p>
Secretarial Resources	The General Manager, East Waste shall provide administrative resources to the Committee to enable it to adequately carry out its functions.
Quorum	The quorum necessary for the transaction of business shall be three members. A duly convened meetings of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

**Terms of Reference – Eastern Waste Management Authority Audit and Risk Management Committee**

General	The Terms of Reference of the East Waste Audit and Risk Management Committee shall be reviewed at least once every three years, or where legislative changes dictate amendments.
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## 8.7: GENERAL MANAGER PERFORMAMCE REVIEW COMMITTEE TERMS OF REFERENCE REVIEW

**REPORT AUTHOR:** Manager, Business Services

**ATTACHMENTS:** A: Terms of Reference – General Manager Performance Review Committee (Draft)  
B: Terms of Reference – General Manager Performance Review Committee (Current)

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### **Purpose of the Report**

To provide the Audit and Risk Management Committee (the Committee) with a copy of the draft Terms of Reference for the General Manager Performance Review Committee (GMPRC) for review and recommendation prior to being presented to the Board.

### **Background**

Clause 10.7 of the *East Waste Charter* provides the Power to the East Waste Board to:

*10.7 employ and dismiss a Chief Executive Officer;*

To assist the Board in managing the performance and review of the General Manager (Executive Officer) the General Manager, Performance Development and Review Committee (the Committee) was established in 2018.

### **Report**

The Terms of Reference for the GMPRC have been reviewed in accordance with the review schedule. During the review it was determined that the existing Terms or Reference were still relevant and appropriate. As such, only minor changes have been made to the document including updating the style to a more modern format and consistent with other East Waste Terms of Reference (refer Attachment A).

For reference, a copy of the current terms of reference have been included with this report (Attachment B).

### **RECOMMENDATION**

**The Committee recommend that the Terms of Reference as presented in Attachment A are presented to the East Waste Board for endorsement.**

<p><b>TERMS OF REFERENCE GENERAL MANAGER, PERFORMANCE DEVELOPMENT REVIEW COMMITTEE</b></p>	
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<b>Type</b>	Governance
<b>Category</b>	Human Resources
<b>First Issued/Adopted</b>	2018
<b>Minutes Reference</b>	
<b>Review Period</b>	36 months
<b>Last Reviewed</b>	N/A
<b>Next Review</b>	November 2024
<b>Applicable Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1999</i></li> </ul>
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• <i>East Waste Charter</i></li> </ul>
<b>Consultation Undertaken</b>	<ul style="list-style-type: none"> <li>• Audit &amp; Risk Committee</li> </ul>
<b>Responsible Officer</b>	Manager Business Services

SIGNED: .....  
General Manager

.....  
Chairperson

Date: \_\_\_/\_\_\_/\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

## 1. Establishment

- 1.1 The Eastern Waste Management Authority (established under Section 43 of the Local Government Act 1999 (the Act), and the General Manager, Performance Development and Review Committee (the Committee) is proposed to assist the Board of the regional subsidiary in the employment and performance management of its General Manager.
- 1.2 The Committee may be wound up at any time by resolution of the Board.

## 2. Role of the Committee / Purpose

- 2.1 A key objective of the Committee is to guide and develop the General Manager's performance and development in the role of managing the operations of East Waste, thereby assisting the Board to meet its legislative and probity requirements as required by the Local Government Act 1999 (the Act) and other relevant Legislation, Standards and Codes.
- 2.2 The Committee will assist the Board in monitoring the performance, development, employment conditions and contract of the General Manager.
- 2.3 The Committee is required to assist East Waste in the effective conduct of its responsibilities for human resource management of its primary employee, the General Manager; such process being an important component of effective governance and risk management.
- 2.4 The Committee is established to assist the co-ordination of relevant performance development and review activities with the General Manager, on behalf of the Board, thus facilitating achievement of overall organisational objectives in an efficient and effective manner.
- 2.5 As part of East Waste's Governance obligations to its Constituent Councils, the Board has constituted a Committee to facilitate:
  - 2.5.1 The enhancement of the performance planning and review processes for the General Manager.
  - 2.5.2 Effective Management of these processes annually.
  - 3.53 Compliance with laws and regulations as well as use of best practice and human resource management guidelines.
  - 2.5.3 Management of employment conditions and the employment contract for the General Manager, including professional development and remuneration review; and
  - 2.5.4 Effective communication between the General Manager and the Board and all relevant parties.

### 3. Membership

- 3.1 Members of the Committee shall be appointed by the Board of East Waste. The Committee shall consist of three members, one of whom is the Chairperson of the Board.
- 3.2 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act, each member must vote on every matter that is before the Committee for decision. The Chairperson has a deliberative vote but does not, in the event of an equality of votes, have a casting vote.
- 3.3 Committee member appointments shall be for a term of three years, with a staggered rotation of members to support continuity.
- 3.4 The Chairperson of the Committee shall be the Chairperson of the Board.

### 5. Conflict of Interest

- 5.1 Members of the Committee must comply with the conduct and conflict of interest provisions of the Act. Sections 62, 63, 64, 73 and 74 must be observed.

### 6. Register of Interests

- 6.1 All independent members on section 41 Committees need to complete a Register of Interest in accordance with chapter 5 part 4 – Division 2 of the Local Government Act 1999.

### 7. Meetings

- 7.1 The Committee shall meet at least once per year.
- 7.2 Ordinary meetings of the Committee will be held at times and places determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.
- 7.3 Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, no later than 3 clear days before the date of the meeting. Supporting papers shall be sent to Committee members (and to other attendees as appropriate) at the same time.
- 7.4 The notice of Committee meetings shall be communicated to the Board. However, the majority of the business of this Committee is regarded as relevant to Section 90 (3) (a) in that it would involve the unreasonable disclosure of information concerning the personal affairs of a person;
- 7.5 Meetings must be conducted in accordance with the Local Government (Procedures of Meetings) Regulations 2000 Parts 3 and 4.
- 7.6 All business put to the Committee will be brought forward to a meeting by motion, recommendation, staff report or other business.

- 7.7 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for a decision.
- 7.8 The Chairperson of the meeting will have a deliberative vote only.
- 7.9 The Chairperson shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted, and that the minutes otherwise comply with the requirements of the Local Government (Procedure at Meetings) Regulations 2000.
- 7.10 Minutes of Committee meetings shall be circulated within 5 days after a meeting to all members of the Committee and will be tabled to the subsequent ordinary meeting of the Board.
- 7.11 The General Manager is an attendee of all meetings and may be responsible for preparing papers for the Committee.
- 7.12 A member of a Committee can participate in the meeting via electronic means provided advance notice has been provided

## **8. REPORTING**

- 8.1 The Committee shall report its activities, findings and recommendations to the Board.
- 8.2 The Committee shall report annually to the Board summarising the activities of the Committee during the previous financial year.
- 8.3 The Committee shall review and make recommendations to the Board (where necessary) regarding:
- 8.3.1 Changes to the employment conditions or contract of the General Manager.
  - 8.3.2 Remuneration review.
  - 8.3.3 Any performance concern or issue relating to the conduct of the General Manager; and/or
  - 8.3.4 Changes to the Terms of Reference for the Committee.

## **9. Conflict Resolution**

- 9.1 Any conflict that arises in meetings between the GM and a member, will be mediated by the Chairperson. If any conflict arises between the Chairperson and the GM, it will be referred to the full Board or an independent mediator.

## **10. Administrative Resources**

- 10.1 The GM's Performance Committee has the power to request any assistance to support its operation; any such person is not a member of the Committee. The East Waste General Manager shall ensure adequate resources are provided to the Committee as required.

## 11. Quorum

- 11.1 The quorum necessary for the transaction of business shall be three members. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.

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### GENERAL MANAGER'S PERFORMANCE DEVELOPMENT AND REVIEW COMMITTEE

#### TERMS OF REFERENCE

<p>1. Establishment</p>	<p>1. The Eastern Waste Management Authority (established under Section 43 of the Local Government Act 1999 (the Act), and the GM Performance Development and Review Committee is proposed to assist the Board of the regional subsidiary in the employment and performance management of its General Manager.</p> <p>2. The Committee may be wound up at any time by resolution of the Board.</p>
<p>2. Title</p>	<p>1. The East Waste GM Performance Development and Review Committee shall be known as the "GM Performance Committee".</p>
<p>3. Purpose</p>	<p>1. The principal objective of the Committee is to guide and develop the General Manager's performance and development in the role of managing the operations of the Authority, thereby assisting the Board to meet its legislative and probity requirements as required by the <i>Local Government Act 1999</i> (as amended) and other relevant Legislation, Standards and Codes.</p> <p>2. The Committee will assist the Board in monitoring the performance, development, employment conditions and contract of the General Manager.</p> <p>3. The primary objective of the Committee is to assist East Waste in the effective conduct of its responsibilities for human resource management of its primary employee, the General Manager; such process being an important component of effective governance and risk management.</p> <p>4. The Committee is established to assist the co-ordination of relevant performance development and review activities with the General Manager, on behalf of the Board, thus facilitating achievement of overall organisational objectives in an efficient and effective manner.</p> <p>5. As part of East Waste's Governance obligations to its Constituent Councils, the Board has constituted a Committee to facilitate:</p> <ul style="list-style-type: none"> <li>a. the enhancement of the performance planning and review processes for the General Manager;</li> <li>b. effective management of these processes annually;</li> <li>c. compliance with laws and regulations as well as use of best practice and human resource management guidelines;</li> <li>d. management of employment conditions and the employment contract for the General Manager, including professional development and remuneration review; and</li> <li>e. effective communication between the General Manager and the Board on personal and professional matters.</li> </ul>

<p>4. Membership</p>	<ol style="list-style-type: none"> <li>1. Members of the Committee shall be appointed by the Board of East Waste. The Committee shall consist of three members, one of whom is the Chairperson.</li> <li>2. Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision. The Chairperson has a deliberative vote but does not, in the event of an equality of votes, have a casting vote.</li> <li>3. The General Manager is an attendee of all meetings and may be responsible for preparing papers for the Committee.</li> <li>4. Board member appointments shall be for a term of three years, with a staggered rotation of members to support continuity.</li> </ol>
<p>5. Chairperson</p>	<ol style="list-style-type: none"> <li>1. The Chairperson of the Committee shall be the Chairperson of the Board.</li> </ol>
<p>6. Conflict of Interest</p>	<ol style="list-style-type: none"> <li>1. Applies to all Committee members as per <i>Local Government Act 1999 Part 4 Division 3</i>.</li> </ol>
<p>7. Register of Interest</p>	<ol style="list-style-type: none"> <li>1. Division 2 of Part 4, Chapter 5 of the <i>Local Government Act 1999</i> applies to the members of the Committee.</li> </ol>
<p>8. Frequency of Meetings</p>	<ol style="list-style-type: none"> <li>1. The Committee shall meet at least annually and precede a Board meeting.</li> </ol>
<p>9. Notice of Meetings</p>	<ol style="list-style-type: none"> <li>1. Ordinary meetings of the Committee will be held at times and places determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.</li> <li>2. Notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, no later than 3 clear days before the date of the meeting. Supporting papers shall be sent to Committee members (and to other attendees as appropriate) at the same time.</li> <li>3. In the spirit of the LG Act, the notice of Committee meetings shall be communicated to the Board. However, the majority of the business of this Committee is regarded as relevant to Section 90 (3) (a) ) in that it would involve the unreasonable disclosure of information concerning the personal affairs of a person;</li> </ol>
<p>10. Procedures at Meeting</p>	<ol style="list-style-type: none"> <li>1. As per <i>Local Government (Procedures of Meetings) Regulations 2000 Parts 3 and 4</i>.</li> <li>2. All business put to the Committee will be brought forward to a meeting by motion, recommendation, staff report or other business.</li> <li>3. Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for</li> </ol>

<p>10. Procedures at Meeting (continued)</p>	<p>a decision.</p> <ol style="list-style-type: none"> <li>4. The Chairperson of the meeting will have a deliberative vote only.</li> <li>5. The Chairperson shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance, are minuted, and that the minutes otherwise comply with the requirements of the <i>Local Government (Procedure at Meetings) Regulations 2000</i>.</li> <li>6. Minutes of Committee meetings shall be circulated within 5 days after a meeting to all members of the Committee and will be tabled to the subsequent ordinary meeting of the Board.</li> </ol>
<p>11. Reporting</p>	<ol style="list-style-type: none"> <li>1. The Committee shall report its activities, findings and recommendations to the Board.</li> <li>2. The Committee shall report annually to the Board summarising the activities of the Committee during the previous financial year.</li> <li>3. The Committee shall review and make recommendations to the Board (where necessary) regarding:             <ol style="list-style-type: none"> <li>a. Changes to the employment conditions or contract of the General Manager;</li> <li>b. Remuneration review;</li> <li>c. Any performance concern or issue relating to the conduct of the General Manager; and/or</li> <li>d. Changes to the Terms of Reference for the GM's Performance Committee.</li> </ol> </li> </ol>
<p>12. Conflict Resolution</p>	<ol style="list-style-type: none"> <li>1. Any conflict that arises in meetings between the GM and a member, will be mediated by the Chairperson. If any conflict arises between the Chairperson and the GM, it will be referred to the full Board or an independent mediator.</li> </ol>
<p>13. Secretarial Resources</p>	<ol style="list-style-type: none"> <li>1. The GM's Performance Committee has the power to request any assistance to support its operation; any such person is not a member of the Committee. The East Waste General Manager shall ensure adequate resources are provided to the Committee as required.</li> </ol>
<p>14. Quorum</p>	<ol style="list-style-type: none"> <li>1. The quorum necessary for the transaction of business shall be three members. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Committee.</li> </ol>
<p>15. General</p>	<ol style="list-style-type: none"> <li>1. The Terms of Reference of the East Waste GM Performance Development and Review Committee shall be reviewed at least once every three years, or where legislative changes dictate amendments.</li> <li>2. These Terms of Reference were adopted by the Board on 22 February 2018.</li> </ol>

## 8.8: 2022 PROPOSED MEETING SCHEDULE

**REPORT AUTHOR:** Finance & Executive Administration Officer  
**ATTACHMENTS:** Nil

### Purpose of the Report

To provide the Committee with the proposed Audit & Risk Management Committee and Board meeting dates for 2022.

### Background

Nil

### Report

Table 1 details proposed meeting dates for the Audit and Risk Management Committee and Board for 2022. Feedback from Members on the dates will be sought at the meeting.

**Table 1: 2022 Proposed Meeting Dates**

Audit & Risk Management Committee	Board	Legislative requirement
Tuesday 15 February 8:00am	Thursday 24 February 5:30pm	Budget Review 2 Draft Annual Plan & Budget
Tuesday 19 April 8:00am	Thursday 28 April 5:30pm	Budget Review 3
Tuesday 14 June 8:00am	Thursday 23 June 5:30pm	Annual Plan & Budget Endorsement
Tuesday 13 September 8:00am	Thursday 22 September 5:30pm	Audited Financials
Tuesday 15 November 8:00am	Thursday 24 November 5:30pm	Budget Review 1

Subject to endorsement by the East Waste Board, calendar invites for 2022 meetings shall be sent out prior to Christmas.

### Recommendation

**That the Committee receives and notes the report.**