



**Eastern Waste Management Authority
Ordinary Audit & Risk Management Committee**

Minutes

Wednesday 13 November 2024

Minutes

Eastern Waste Management Authority Ordinary Meeting of the Audit & Risk Management Committee

Meeting to be held on Wednesday 13 November 2024 commencing at 8:00am, Via Zoom

The Chair, Mrs E Hinchey, declared the Meeting open at 8.03 am and that a quorum was present.

1. Acknowledgement of country

2. Present

Directors:

Mrs E Hinchey	Independent Chairperson
Mr F Bell	East Waste Board Representative
Mr P Di Iulio	East Waste Board Representative (<i>entered the meeting at 8.07am</i>)
Ms L Green	Independent Member
Ms S Di Blasio	Independent Member

In Attendance:

Mr D Maywald	Acting General Manager
Mr B Krombholz	Manager Operational Services
Ms K Vandermoer	Manager Human Resources & Financial Services
Ms V Davison	Executive Administration Officer
Mr J Jovicevic	Director, Dean Newbery

3. Apologies

Nil.

4. Conflicts of interest

The following disclosure of interest was made:

Item	Type of Conflict	Person
9.3	Material	Ms L Green
10.1	Material	Ms L Green

5. Confirmation of the minutes

Moved Ms L Green that the Minutes of the East Waste Audit and Risk Management Committee meeting held on 17 September 2024 be confirmed as a true and correct record.

Seconded Ms S Di Blasio

Carried

6. Matters arising from the minutes

Nil.

7. Questions without notice

Nil.

8. Presentations

Nil.

9. Reports

9.1 Financial Statements – Budget Review One

Moved Ms S Di Blasio that the Audit & Risk Management Committee notes and accepts the forecasted end of year FY2025 result associated with the 2024/25 Budget Review One and recommends to the East Waste Board for endorsement.

Seconded Ms L Green

Carried

9.2 Review of Long-Term Financial Plan FY2025-2034

Moved Mr F Bell that the Audit & Risk Management Committee recommends the draft principles and assumptions presented within the draft Long Term Financial Plan (Attachment A, Item 9.2, Audit & Risk Management Committee Meeting 13 November 2024), to the East Waste Board for adoption.

Seconded Ms S Di Blasio

Variation

With the agreement of both the mover and the seconder the motion was varied as follows:

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

1. the draft principles and assumptions presented within the draft Long Term Financial Plan (Attachment A, Item 9.2, Audit & Risk Management Committee Meeting 13 November 2024), to the East Waste Board for adoption.
2. that the East Waste Board note that the proposed legislative changes in relation to waste services may impact the delivery of the East Waste Strategic Plan.

Seconded Ms S Di Blasio

Carried

9.3 Prudential Review – Supply of Collection Vehicles

Ms S Di Blasio left the meeting at 8.23am

Ms S Di Blasio rejoined the meeting at 8.28am

Ms L Green declared a material conflict of interest in this item given her son-in-law works for SuperiorPak and left the meeting at 8.44am.

Moved Ms S Di Blasio that Audit & Risk Management Committee:

1. is satisfied, having reviewed the Collection Vehicle Tender Project Prudential Report, that it adequately documents the financial and other risks associated with the tender and contract process, as per the requirements of Section 48 of the *Local Government Act 1999*.

2. recommends the draft prudential report as presented in the Collection Vehicle Tender Prudential Review Report (Item 9.3, Attachment A, Audit & Risk Management Committee Meeting 13 November 2024) is presented to the East Waste Board to assist in their decision-making process.

Seconded Mr F Bell

Carried

Variation

With the agreement of both the mover and the seconder the motion was varied as follows:

Moved Ms S Di Blasio that Audit & Risk Management Committee

1. is satisfied, having reviewed the Collection Vehicle Tender Project Prudential Report, that it adequately documents the financial and other risks associated with the tender and contract process, as per the requirements of Section 48 of the *Local Government Act 1999*.
2. recommends the draft prudential report as presented in the Collection Vehicle Tender Prudential Review Report (Item 9.3, Attachment A, Audit & Risk Management Committee Meeting 13 November 2024) is presented to the East Waste Board to assist in their decision-making process.
3. recommends that s48 prudential reviews are conducted by an independent third party in future
4. notes that formal consultation on the Long-Term Financial Plan with the Member Councils has not yet occurred.

Seconded Mr F Bell

Carried

The Chairperson sought and was granted leave of the meeting to bring forward items 10.1 and 10.2.

10 Confidential Items

10.1 RFT 2025/07: Cab Chassis Compactors

Ms L Green declared a material conflict of interest in this item as her son-in-law works for SuperiorPak and left the meeting at 8.44am.

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Report attached to this Agenda and the accompanying documentation is provided to the Committee Members upon the basis that the Audit & Risk Management Committee will consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Audit & Risk Management Committee will receive, discuss or consider:

- Section 90(2) & (3)(d)(i)(ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.

Recommendation 1

Moved Mr F Bell that pursuant to Section 90(2) and (3)(d) of the Local Government Act, 1999 the East Waste Audit & Risk Management Committee orders that the public, with the exception of the East Waste Acting General Manager, David Maywald, East Waste Manager Operations, Mr Brian Kromholz, East Waste Manager Human Resources and Financial Services, Kelly Vandermoer and East Waste Executive Officer, Vanessa Davidson be excluded from the meeting on the basis that the East Waste Audit & risk Committee will receive, discuss and consider:

(b) information the disclosure of which—

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the East Waste Board is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste;
- (ii) would on balance be contrary to the public interest as the outcome of the decision may impact the tender process.

The East Waste Audit & Risk Management 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.

At the completion of the confidential session the meeting be re-opened to the public.

Seconded Mr P Di Iulio

Carried

Recommendation 3

Moved Mr F Bell that in accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Audit & Risk Management Committee recommends that the Board orders that the report, attachment, discussion and minutes be kept confidential until further order.

Seconded Ms S Di Blasio

Carried

10.2 RFQ 2025-01: Provision of Internal Audit Services Tender Evaluation Report

Ms L Green re-entered the meeting at 9.04am

Pursuant to Section 83(5) of the *Local Government Act 1999*, the Report attached to this Agenda and the accompanying documentation is provided to the Committee Members upon the basis that the Audit & Risk Management Committee will consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Audit & Risk Management Committee will receive, discuss or consider:

- Section 90(2) & (3)(b)(i)(ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.

Recommendation 1

Moved Ms S Di Blasio that pursuant to Section 90(2) and 90(3)(b) of the *Local Government Act 1999* the East Waste Audit & Risk Management Committee orders that the public, with the exception of the East Waste Acting General Manager, David Maywald, East Waste Manager Operations, Mr Brian Krombholz, East Waste Manager Human Resources and Financial Services, Kelly Vandermoer, and East Waste Executive Officer, Vanessa Davidson be excluded from the meeting on the basis that the East Waste Audit & Risk Management Committee will receive, discuss and consider:

(b) information the disclosure of which—

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste;
- (ii) would on balance be contrary to the public interest as the outcome of the decision may impact the tender process.

The East Waste Audit & Risk Management 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.

At the completion of the confidential session the meeting be re-opened to the public.

Seconded Mr F Bell

Carried

Recommendation 3

Moved Ms L Green that in accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Audit & Risk Management Committee orders that the report, attachment and minutes be kept confidential until further order.

Seconded Ms S Di Blasio

Carried

9.4 Review of Delegated Powers

Moved Mr F Bell

1. That the Audit & Risk Management Committee notes that a comprehensive review of Council's Instruments of Delegation has been conducted in accordance with section 44(6a) of the Local Government Act 1999.
2. That the Audit & Risk Management Committee recommends that the East Waste Board hereby revokes its previous delegations to the General Manager of those powers and functions under the following legislation and subordinate legislation where indicated in the Instruments:
 - i. Environment Protection (Waste to Resources) Policy 2010
 - ii. Local Government Act 1999
 - iii. Work Health Safety Act 2012.

3. That the Audit & Risk Management Committee recommends that the East Waste Board in exercise of the power contained in section 44(1) of the *Local Government Act 1999* delegates the powers and functions under the following Acts and subordinate legislation, where specified in the proposed Instruments of Delegation contained in the attached Instruments of Delegation, with the exception of those powers and functions identified as 'Not delegated', to the person occupying the office of General Manager (and any person to appointed to act in that position) subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation included as attachments to this report.
 1. Environment Protection (Waste to Resources) Policy 2010; subject to legal review
 2. Local Government Act 1999
 3. Work Health Safety Act 2012.
4. That the Audit & Risk Management Committee note that such powers and functions may be further delegated by the General Manager as the General Manager sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Seconded Mr P Di Iulio

Carried

9.5 Revised Terms of Reference – Audit and Risk Management Committee

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

That the Audit & Risk Management Committee recommends to the East Waste Board that the revised Terms of Reference for the Audit & Risk Management Committee (Attachment A, Item 9.5, Audit & Risk Management Committee Meeting 13 November 2024) be adopted.

Seconded Ms S Di Blasio

Carried

9.6 Communication System Upgrade - Customer Service Metrics

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

That the Audit & Risk Management Committee notes the report and recommends presentation to the East Waste Board.

Seconded Ms S Di Blasio

Carried

9.7 Proposed Diversity and Inclusion Policy

Moved Ms S Di Blasio that the Audit & Risk Management Committee:

That the Audit & Risk Management Committee recommend the proposed Diversity and Inclusion Policy (Attachment A, Item 9.7, Audit & Risk Management Committee Meeting 13 November 2024) be referred to the East Waste Board Working Party for review.

Seconded Mr F Bell

Carried

Mr F Bell left the meeting at 9:42am.

9.8 Treasury Management Performance Report

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

The Committee recommend that the 2024 Annual Treasury Management Performance Report (Attachment A, Item 9.8, Audit & Risk Management Committee Meeting 13 November 2024) is presented to the East Waste Board for adoption.

Seconded Mr P Di Iulio

Carried

9.9 WHS Action Plan Rebate

Moved S Di Blasio that the Audit & Risk Management Committee:

That the Audit & Risk Management Committee notes the report and recommends presentation to the East Waste Board.

Seconded Mr P Di Iulio

Carried

9.10 Single Use Plastics Review

Moved S Di Blasio that the Audit & Risk Management Committee notes the Single-use and Other Plastic Products Submission (Attachment A, Item 9.10, Audit & Risk Management Committee Meeting 13 November 2024) and recommends presentation to the East Waste Board.

Seconded Ms L Green

Carried

9.11 Board & Committee Performance Evaluations

Moved Ms S Di Blasio that the Audit & Risk Management Committee defer the item to the next scheduled Audit & Risk Management Committee meeting, to enable all Members to participate in discussion.

Seconded Mr P Di Iulio

Carried

9.12 Proposed Meeting Schedule for 2025

Moved Ms L Green that the Audit & Risk Management Committee receives and notes the proposed meeting schedule for 2025 and recommends the proposed schedule for presentation to the East Waste Board.

Seconded Ms S Di Blasio

Carried

9.13 Information Report for November 2024

Moved Ms S Di Blasio that the Audit & Risk Management Committee receives and notes the Information Report for November 2024.

Seconded Mr P Di Iulio

Carried

11. Other Business

Nil

12. The next Ordinary Audit & Risk Management Committee Meeting is proposed to be held on:
Tuesday 18 February 2024, location TBC..

These minutes have been signed as a true and correct record of the East Waste Audit & Risk Management Committee Meeting of 13 November 2024.

Chairperson

Date _____/_____/_____