

#### 14.3 EASTERN WASTE MANAGEMENT AUTHORITY INCORPORATED BOARD (EAST WASTE) - APPOINTMENT OF INDEPENDENT CHAIRPERSON

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<b>REPORT AUTHOR:</b>	General Manager, Governance & Civic Affairs
<b>GENERAL MANAGER:</b>	Chief Executive Officer
<b>CONTACT NUMBER:</b>	8366 4549
<b>FILE REFERENCE:</b>	qA111240
<b>ATTACHMENTS:</b>	A

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#### PURPOSE OF REPORT

The purpose of this report is to seek the Council's endorsement to re-appoint Mr Fraser Bell as the Independent Chairperson of the Eastern Waste Management Authority (East Waste) Board of Management.

#### BACKGROUND

The Eastern Waste Management Authority Incorporated (East Waste) is a Regional Subsidiary, established under Section 43 of the *Local Government Act 1999*, to provide at-cost kerbside waste collection services to its Constituent Councils. The membership base of East Waste comprises the Corporation of the Town of Walkerville, the City of Burnside, the City of Norwood Payneham & St Peters, the Campbelltown City Council, the City of Mitcham, the City of Prospect, the Adelaide Hills Council and the City of Unley.

East Waste is governed by a Board of Management which comprises Members appointed by each of the Constituent Councils.

Cr Clutterham is a Board Member and Cr McFarlane is a Deputy Board Member of East Waste.

At its meeting held in September 2023, the Board of Management resolved to support Mr Frazer's reappointment as Independent Chair of the Board for a further three (3) year term.

On this basis, the General Manager, East Waste has forwarded a letter dated 24 October 2023, to the Council regarding the reappointment of Mr Fraser Bell to the position of Independent Chairperson for a further three (3) year term.

A copy of a letter dated 24 October 2023, from East Waste which sets out the process and seeks the approval of the re-appointment of Mr Fraser Bell as the Independent Chairperson of East Waste, is contained in **Attachment A**.

As Elected Members may recall, Mr Bell was first appointed as the Independent Chairperson in February 2020. Mr Bell, a practising lawyer, has extensive experience in the waste management industry.

Pursuant to Clause 21 of the Charter, Mr Bell is eligible for re-appointment as the Independent Chairperson and to this end, is seeking to be re-appointed for a further three (3) year term.

The re-appointment of Mr Bell has now been referred to the Constituent Councils for consideration and approval.

#### RELEVANT POLICIES & STRATEGIC DIRECTIONS

Not Applicable.

#### FINANCIAL AND BUDGET IMPLICATIONS

The sitting fee of \$26,000 for the Independent Chairperson is paid by East Waste.

## RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the *Local Government Act 1999* the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

- (a) information, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

and the Council 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.

## RECOMMENDATION 2

That the Council endorses the reappointment of Mr Fraser Bell as the Independent Chairperson of the Eastern Waste Management Authority (East Waste) Board of Management for a three (3) year term, commencing in January 2024.

## RECOMMENDATION 3

Under Section 91(7) and (9) of the *Local Government Act 1999*, the Council orders that the report, discussion and minutes be kept confidential until the announcement in respect to the re-appointment of Independent Chairperson of the Board of the Eastern Waste Management Authority Inc. is made.

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*Cr Holfeld moved:*

*with the exception of the Council staff present [Acting Chief Executive Officer; General Manager, Infrastructure & Major Projects; Manager, Governance & Legal; Manager, Development Assessment; Manager, Communications & Community Relations and Administration Assistant, Governance & Civic Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:*

- (a) information, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*

*and the Council 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 by Cr Piggott and carried unanimously.*

*Cr Clutterham moved:*

*That the Council endorses the reappointment of Mr Fraser Bell as the Independent Chairperson of the Eastern Waste Management Authority (East Waste) Board of Management for a three (3) year term, commencing in January 2024.*

*Seconded by Cr McFarlane and carried unanimously.*

*Cr Knoblauch moved:*

*Under Section 91(7) and (9) of the Local Government Act 1999, the Council orders that the report, discussion and minutes be kept confidential until the announcement in respect to the re-appointment of Independent Chairperson of the Board of the Eastern Waste Management Authority Inc. is made.*

*Seconded by Cr Piggott and carried unanimously.*

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# Attachment A

**Confidential**

## **Eastern Waste Management Authority Incorporated Board (East Waste) Appointment of Independent Chairperson**

Released

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City of Norwood Payneham & St Peters  
175 The Parade, Norwood SA 5067

Telephone 8366 4555  
Facsimile 8332 6338  
Email [townhall@npsp.sa.gov.au](mailto:townhall@npsp.sa.gov.au)  
Website [www.npsp.sa.gov.au](http://www.npsp.sa.gov.au)



**City of  
Norwood  
Payneham  
& St Peters**



24 October 2023

Mr Mario Barone  
Chief Executive Officer  
City of Norwood Payneham & St Peters  
PO Box 204  
KENT TOWN SA 5071  
(sent via email: mbarone@npsa.gov.au)

Dear Mario,

**RE: Endorsement of Independent Chairperson, Mr Fraser Bell**

The East Waste Chair is an independent role and is appointed for a period of three years as per *Clause 21.1.2* of the *East Waste Charter* (the appointment tenure was changed to three years through the 2022 Charter Review).

**21.1.2** *one independent person (who shall be the Chair) appointed jointly by Absolute Majority of the Constituent Councils for a two year term (and at the expiration of the term is eligible for re-appointment) who is not an officer, employee or elected member of a Constituent Council, but who has expertise in:*

- (a) corporate financial management and/or*
- (b) general management and/or*
- (c) waste management and/or*
- (d) transport fleet management and/or*
- (e) public sector governance*
- (f) marketing and/or*
- (g) economics and/or*
- (h) environmental management.*

Mr Bell was first appointed to the role of Independent Chair in February 2020 following an open recruitment process. He was subsequently reappointed for a second two-year period in late 2022. With Mr. Bell's role expiring in January 2024 the East Waste Board considered the matter at the September Board meeting and subsequently resolved:

#### **9.4 RE-APPOINTMENT OF INDEPENDENT CHAIRPERSON**

*Moved Mayor Jones that the Board:*

- 1. Supports the re-appointment of Mr Fraser Bell as the Independent Chair of the East Waste Board for a further three-year term, effective from January 2024.*
- 2. Instructs the General Manager to formally write to each Member Council seeking their approval to re-appoint Mr Fraser Bell as the Independent Chair of the East Waste Board for a further three-year period.*
- 3. Confirms the remuneration of the role to be set at \$26,000 per annum.*

*Seconded Cr Huxter*

**Carried**

As a practicing lawyer engaged strongly in the waste industry for over 30 years, Fraser has strong subject matter credentials and is a current or past Chair or Board Member of a diverse range of Organisations, providing valuable governance experience. Further details on Fraser's broad experience is available via his [LinkedIn profile](#).



In reviewing the remuneration for the role, the Board resolved to increase the remuneration by \$2,000 which is below the combined CPI rate for the past two years.

With the Board endorsing Mr Bell as Chair for a third term there was no need to proceed to an open market test for the position. At the expiration of Mr. Bell's next term (2027 – and assuming he receives absolute majority endorsement), he will have been in the role for 7 years and it may be prudent to test the market at this point; or at the very least seek feedback from Member Councils prior to progressing.

In order for Mr Bell to commence duties at the February Audit & Risk Committee meeting (as a Committee Member), it would be appreciated if the Council passed a motion at an upcoming meeting (January 2024 at the latest), consistent with the following:

*The Council endorses Mr Fraser Bell is reappointed as the Eastern Waste Management Authority  
Independent Chair for a three- year term commencing in January 2024.*

I appreciate your assistance with this and should you need any further information or assistance, please do not hesitate to contact me on mobile, 0417 466 929, or email [robq@eastwaste.com](mailto:robq@eastwaste.com) if you have any questions.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Rob Gregory'.

**ROB GREGORY**  
**GENERAL MANAGER**

Released