

Minutes

Audit & Risk Management Committee

Date & Time: Friday 24 March 2023, 2.30pm

Location: Council Chambers, City of Victor Harbor

Meeting Opened: 14.34 pm

1. Present

Peter van der Eijk	Independent Chairperson
Claudia Goldsmith	Independent Member
Vicki Tomlinson	Independent Member
Trish Kirkland	Acting General Manager Resources, Alexandrina Council

In Attendance

Victoria MacKirdy	Acting Executive Officer, FRACA
Danielle Leckie	Administration Officer, FRACA
James Lomax	Regional Manager, YMCA

2. Apologies

Kellie Knight-Stacey	Group Manager Governance and Finance, City of Victor Harbor
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3. Conflicts of Interest

Nil

4. Minutes of Previous meeting

4.1. A&RMC Minutes

Motion:	ARMC0230
Moved:	Vicki Tomlinson
Seconded:	Trish Kirkland

The Audit & Risk Management Committee endorse the minutes of the meeting held 20 January 2023 as reviewed by the Committee on 24 March 2023.

CARRIED

5. Business Arising

5.1. A&RMC Annual Work Plan 2023

Motion:	ARMC0231
Moved:	Claudia Goldsmith
Seconded:	Vicki Tomlinson

The Audit & Risk Management Committee:

- *receive and note the updated A&RMC Annual Work Plan 2023 as presented on 24 March 2023;*
- *note that the item Review of Local Government Act Changes will be rescheduled to September 2023; and*

- *note that the imminent changes in regard to Audit and Risk Committees is to be implemented in November 2023, with a review of the effect on the subsidiary to be undertaken by September 2023.*

CARRIED

6. Verbal Report – Nil

7. Reports

7.1. Administrative and Governance Support Review

Motion: ARMC0232
Moved: Claudia Goldsmith
Seconded: Trish Kirkland

The Audit & Risk Management Committee receive and note the FRACA Administrative and Governance Support Review report as presented at the meeting held 24 March 2023.

CARRIED

7.2. Policy Review – Disposal of Land and Assets

Motion: ARMC0233
Moved: Claudia Goldsmith
Seconded: Vicki Tomlinson

The Audit & Risk Management Committee request further review of the policy be undertaken to determine delegations and processes to dispose of assets in relation to Board and Constituent Council input.

CARRIED

7.3. Policy Review – Records Management

Motion: ARMC0234
Moved: Claudia Goldsmith
Seconded: Trish Kirkland

The Audit & Risk Management Committee recommend to the Authority Board the adoption of the policy Records Management v3.0 as reviewed and amended by the Committee on 24 March 2023.

CARRIED

7.4. Financial Services Model and Internal Financial Controls Register Creation

Motion: ARMC0235
Moved: Vicki Tomlinson
Seconded: Trish Kirkland

The Audit & Risk Management Committee:

- *receive and note the report;*
- *note the extension of the Support Services Agreement with Alexandrina Council for the provision of administrative and financial support services to the Authority until the review of the Executive Structure is finalised to 30 June 2023, or other arrangements are in place; and*
- *note the review of Internal Financial Controls will continue to progress in alignment with the Executive Structure review to assist in informing an appropriate Financial Services Model for the Authority.*

CARRIED

7.5. Risk Management Assistance

Motion: ARMC0236
Moved: Claudia Goldsmith
Seconded: Vicki Tomlinson

The Audit & Risk Management Committee:

- *receive and note the report;*
- *acknowledge progress made on the Risk Management Framework document as presented at attachment 7.5a and 7.5b of this report;*
- *note the option for Risk Management training as proposed by LGRS, recommending to the Authority Board that training is scheduled prior to the Risk Management Workshop;*
- *request the Authority Board schedule the Risk Management Workshop with the LGRS for Committee and Board members considering a framework finalisation date of 30 June 2023; and*
- *request an update be provided to LGRS to secure dates as indicated in this resolution.*

CARRIED

8. Confidential Reports

8.1. Adoption of Confidential Minutes

Motion: ARMC0237
Moved: Claudia Goldsmith
Seconded: Vicki Tomlinson

Pursuant to section 90(2) of the Local Government Act 1999, the Committee orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Victoria MacKirdy, and FRACA Administration Officer, Danielle Leckie, on the basis that it will receive and consider item 8.1 Adoption of Confidential Minutes.

The Committee is satisfied, pursuant to section 90(3)(d) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
- (ii) *would, on balance, be contrary to the public interest.*

Accordingly, 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 information and discussion confidential to prevent disclosure of commercial information of a confidential nature (not being a trade secret).

CARRIED

8.2. Asset Revaluation

Motion: ARMC0239
Moved: Trish Kirkland
Seconded: Vicki Tomlinson

Pursuant to section 90(2) of the Local Government Act 1999, the Committee orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Victoria MacKirdy, and Administration Officer, Danielle Leckie, on the basis that it will receive and consider item 8.2 Asset Revaluation.

The Committee is satisfied, pursuant to section 90(3)(d) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
- (ii) *would, on balance, be contrary to the public interest.*

Accordingly, 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 information and discussion confidential as it contains commercial information regarding Authority assets.

CARRIED

8.3. Annual Budget 2023-2024

Motion: ARMC0241
Moved: Vicki Tomlinson
Seconded: Trish Kirkland

Pursuant to section 90(2) of the Local Government Act 1999, the Committee orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Victoria MacKirdy, Regional Manager YMCA, James Lomax, and FRACA Administration Officer, Danielle Leckie, on the basis that it will receive and consider item 8.3 Annual Budget 2023-2024.

The Committee is satisfied, pursuant to section 90(3)(d) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
- (ii) would, on balance, be contrary to the public interest.*

Accordingly, 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 information and discussion confidential as it contains commercial information relating to the operational management of the centre.

CARRIED

8.4. Fees and Competitive Neutrality Review

Motion: ARMC0243
Moved: Vicki Tomlinson
Seconded: Trish Kirkland

Pursuant to section 90(2) of the Local Government Act 1999, the Committee orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Victoria MacKirdy, Regional Manager YMCA, James Lomax, and FRACA Administration Officer, Danielle Leckie, on the basis that it will receive and consider item 8.4 Fees and Competitive Neutrality Review.

The Committee is satisfied, pursuant to section 90(3)(d) of the Act, that the information to be received, discussed or considered in relation to this Agenda Item is:

commercial information of a confidential nature (not being a trade secret) the disclosure of which –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
- (ii) would, on balance, be contrary to the public interest.*

Accordingly, 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 information and discussion confidential as it contains information relating to the commercial operations of the Fleurieu Aquatic Centre as managed by the YMCA.

CARRIED

9. Next Meeting: Friday 21 April 2023, 1.30pm – Large Meeting Room, Alexandrina Council.

10. Meeting Closed: 17.04 pm

Unconfirmed

It should be noted that in accordance with the legal advice received by the Authority dated 26 August 2020, all reports, minutes, attachments, and associated documents from items deliberated by the Authority in confidence, will automatically remain in confidence in perpetuity, unless a resolution of the Board is made to release such items. Items may also be removed from confidence under delegation. At the conclusion of each agenda item that is considered by the Authority in confidence, the default position is for the return to open / public meeting, until such time as a further resolution is made to return to confidential meeting procedures.