

Date & Time: Thursday 7 December 2023, 9:30am
Location: Encounter Room, City of Victor Harbor

Delayed start to meeting time due to lack of quorum. Quorum established and meeting commenced within 30 minutes of original start time.

Meeting Opened: 9.59 am

In the absence of a Deputy Chair, the Acting Executive Officer commenced the meeting.

Motion: FRACA00701
Moved: Cr Angela Schiller
Seconded: Mark Easton

That the Authority Board, pursuant to clause 3.11.7 of the Authority Charter, appoints Independent Member – Vicki Tomlinson as the Chairperson for the meeting held Thursday, 7 December 2023.

CARRIED

1. Present

Mark Easton	Independent Member
Vicki Tomlinson	Independent Member
Angela Schiller	Council Member Representative, City of Victor Harbor

In Attendance

Kellie Knight-Stacey	Acting Executive Office, FRACA
Danielle Leckie	Administration Officer, FRACA

2. Apologies

Margaret Gardner	Council Member Representative, Alexandrina Council
Steve Mathewson	Independent Chairperson

3. Conflicts of Interest

Nil

4. Minutes of Previous Meeting

4.1. Adoption of Minutes

Motion: FRACA00702
Moved: Mark Easton
Seconded: Cr Angela Schiller

Pursuant to section 90(2) of the Local Government Act 1999, the Board orders that all members of the public be excluded from the matter, with the exception of, Acting Executive Officer Kellie Knight-Stacey and Administration Officer Danielle Leckie on the basis that it will receive and consider item 4.1 Adoption of Minutes.

*The Board 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 Board 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 includes information pertaining to a commercial proposal between the Authority and a third party.

CARRIED

5. Business Arising

5.1. Board Annual Work Plan

Motion: FRACA00704
Moved: Cr Angela Schiller
Seconded: Mark Easton

That the Authority Board:

- receive and note the updated Authority Board Annual Work Plan;*
- direct the Acting Executive Officer to organise a workshop in the first quarter of 2024 to progress the work of the Access Audit with a view to informing the 2024/25 budget; and*
- acknowledge the meeting schedule proposed for 2024, subject to confirmation of availability with the Board.*

CARRIED

6. Verbal Reports

6.1. Acting Executive Officer Verbal Report

Motion: FRACA00705
Moved: Cr Angela Schiller
Seconded: Mark Easton

The Authority Board receive and note the verbal report as provided by the Acting Executive Officer.

CARRIED

Deputy Member Cr Lou Nicholson entered meeting 10.30am.

7. Reports

7.1. Resolutions Register - Authority Board

Motion: FRACA00706
Moved: Mark Easton
Seconded: Cr Lou Nicholson

That the Authority Board:

- *receive and note the Resolutions Register – Authority Board report;*
- *endorse the status of ‘completed’ for the 53 public resolutions contained within Attachment 7.1a;*
- *acknowledge the ‘in progress’ status of the 17 resolutions contained within Attachment 7.1b; and*
- *request that resolution FRACA00398 be marked as complete.*

CARRIED

7.2. 2023/24 Budget Review (Q1)

Motion: FRACA00707
Moved: Cr Lou Nicholson
Seconded: Cr Angela Schiller

That Authority Board:

- *adopt the Budget Review for the period ending 30 September 2023 with no proposed changes to the adopted budget for 2023/2024; and*
- *direct the Acting Executive Officer to provide the Q1 Budget Review as at 30 September 2023 to Constituent Councils with no amendment to Council contributions.*

CARRIED

7.3. 2023/24 to 2032/33 Long Term Financial Plan

Motion: FRACA00708
Moved: Cr Angela Schiller
Seconded: Mark Easton

That the Authority Board:

- *endorse the 2023/24 to 2032/33 Long Term Financial Plan with amendments made by the ARMC, subject to:*
 - *updated assumptions noting the source of CPI figures; and*
 - *commentary on the potential return on investment (reduction in electricity costs);*
- *direct the Acting Executive Officer to provide the Plan to Constituent Councils as per the Authority Charter.*

CARRIED

Confidential Reports

8.1. 2022-23 Board Self-Assessment Review

Motion: FRACA00709
Moved: Mark Easton
Seconded: Cr Lou Nicholson

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 Acting Executive Officer Kellie Knight-Stacey and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 8.1 2022/23 Board Self-Assessment.

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

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

personal affairs of a person includes—

(a) that person's—

- (i) financial affairs; (ii) criminal records;
- (iii) marital or other personal relationships;
- (iv) personal qualities, attributes or health status;

(b) that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

Accordingly, the Board 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 the unreasonable disclosure of information relating to the personal affairs for a particular person or persons.

CARRIED

8.2. YMCA Performance Report – Q1

Motion: FRACA00711
Moved: Cr Angela Schiller
Seconded: Mark Easton

Pursuant to section 90(2) of the Local Government Act 1999, the Authority orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Kellie Knight-Stacy and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 8.2 YMCA Performance Report – Q1.

The Authority 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 Authority 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 the disclosure of commercial information of a confidential nature (not being a trade secret) as it includes information that may prejudice the commercial position of the Authority.

CARRIED

8.3. External Audit Services 2022-2023

Motion: FRACA00713

Moved: Mark Easton

Seconded: Cr Angela Schiller

Pursuant to section 90(2) of the Local Government Act 1999, the Authority orders that all members of the public be excluded, with the exception of the Acting Executive Officer, Kellie Knight-Stacy and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 8.3 External Audit Services 2022-2023

The Authority 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 Authority 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 the disclosure of commercial information of a confidential nature (not being a trade secret) as it includes information relating to a commercial contract of the Authority with a third party.

CARRIED

8.4. Energy Efficiency

Motion: FRACA00715
Moved: Cr Angela Schiller
Seconded: Mark Easton

Pursuant to section 90(2) of the Local Government Act 1999, the Authority orders that all members of the public be excluded, with the exception of Kellie Knight-Stacey, Acting Executive Officer and Danielle Leckie, Administration Officer, on the basis that it will receive and consider item 8.4 Energy Efficiency.

The Authority 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 Authority 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 the disclosure of commercial information of a confidential nature (not being a trade secret) as it includes information relating to a current commercial tender process.

CARRIED

9. Next Meeting: TBC

10. Meeting Closed: 11:36 am

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.