

Date: 18 May 2018

Location: Alexandrina Council Office – 11 Cadell St Goolwa, Large Meeting Room

Meeting opened at 10:00am

1. ATTENDANCE

Present:

David Cooke (Chairperson)

John Coombe OAM (Deputy Chairperson)

Councillor Grant Gartrell

Mayor Graham Philp (Deputy Elected Member Representative)

Councillor Anne Woolford (Deputy Elected Member Representative)

In attendance:

Leonie Boothby, Executive Officer

Elizabeth Williams, General Manager Organisation & Community, Alexandrina Council

Kellie Knight-Stacey, Interim Director Corporate & Community Services

2. APOLOGIES

Alison Kimber

Councillor Pat Chigwidden

3. MINUTES OF THE PREVIOUS MEETING

Moved: Cr Grant Gartrell

Seconded: Mr John Coombe

FRACA000140 That the minutes of the previous Fleurieu Regional Aquatic Centre Authority meeting held on Wednesday 18 April 2018 as circulated be confirmed as a true and accurate record.

CARRIED

4. BUSINESS ARISING

4.1 Adjourned matter – Confidential - FRACA000138 Draft YMCA Operational Management Key Performance Indicators

Moved: Mr John Coombe

Seconded: Mayor Graham Philp

FRACA000141 That the Authority:

- 1) Under the provisions of Section 90(2) of the Local Government Act 1999 make an order that the public be excluded from the meeting, except for Ms Leonie Boothby, Executive Officer; Ms Kellie Knight-Stacey, Interim Director Corporate & Community Services, City of Victor Harbor and Ms Elizabeth Williams, General Manager Organisation & Community, Alexandrina Council; in order to consider in confidence a report relating to Section 90(3)(d) of the Local Government Act 1999:

(d) 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;

relating to the consideration of draft Key Performance Indicators for YMCA South Australia for management and operations of the Fleurieu Aquatic Centre for 2018-2019, being information that must be considered in confidence

in order to ensure that the Authority does not disclose commercial information of a confidential nature (not being a trade secret); and

- 2) Accordingly, on this basis, the Authority is satisfied that public interest in conducting meetings 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).

Substantiation:

The matter of the agenda item being consideration of draft Key Performance Indicators for YMCA South Australia for management and operations of the Fleurieu Aquatic Centre for 2018-2019 pursuant to Section 90(3)(d) of the Local Government Act 1999 ("the Act") being information that must be considered in confidence to ensure that commercial information of a confidential nature (not being a trade secret); is not divulged.

There is strong public interest in enabling members of the public to observe the Authority's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a meeting of the Authority is one means of satisfying this interest. The public will only be excluded from a meeting of the Authority when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that discussion will include discussion pertaining to the disclosure of commercial information of a confidential nature (not being a trade secret) that may prejudice the commercial position of the person who supplied the information or confer a commercial advantage on a third party.

On balance, the above reasons which support the need for confidentiality pursuant to Section 90(2) of the Act outweigh the factors in favour of the public interest of open decision making.

CARRIED

Moved: Mayor Graham Philp

Seconded: Cr Grant Gartrell

FRACA000143 Having considered this matter in confidence under Section 90(2) and 90(3)(d) of the Local Government Act 1999, makes an order pursuant to Section 91(7) and (9), that the agenda report, associated documents and minutes in relation to the 18 May 2018 confidential item 4.1, *Draft Operational Management Key Performance Indicators 2018-2019*, be kept confidential and not available for public inspection other than information required to be released in accordance with any relevant requirements of Section 91(8) of the Local Government Act 1999; and

In accordance with (3) above and Section 91(9)(c) of the Local Government Act 1999, authorises the Executive Officer to review and revoke the order.

4.2 Resolutions Report and Work Program

Moved: Mr David Cooke

Seconded: Mayor Graham Philp

FRACA00144 That the Authority note the Work Program and Resolutions Report as at 18 May 2018.

CARRIED

5 PRESENTATIONS

Nil.

6 REPORTS

6.1 Audit & Risk Management Committee: Minutes

Moved: Mr John Coombe

Seconded: Mr David Cooke

FRACA00145 That the Authority receive the unconfirmed minutes of the Fleurieu Regional Aquatic Centre Authority Audit & Risk Management Committee meeting held on 26 April 2018.

CARRIED

6.2 Draft Public Consultation Policy

Moved: Mr John Coombe

Seconded: Cr Grant Gartrell

FRACA000146 That the Authority endorse the Public Consultation Policy.

CARRIED

6.3 Public consultation – strategic management plans 2018-2027

Moved: Cr Grant Gartrell

Seconded: Mr John Coombe

FRACA000147 That the Authority:

1. Receives and notes the report containing the outcome of public consultation on the draft Strategic Plan 2018-2027, Asset Management Plan 2018-2027 and Long Term Financial Plan 2018-2027; and
2. Recommends the draft Strategic Plan 2018-2027, Asset Management Plan 2018-2027 and Long Term Financial Plan 2018-2027 to the constituent Councils for approval.

CARRIED

6.4 Policy reviews & noting of Policy / Key Document Review Schedule

Moved: Mayor Graham Philp

Seconded: Mr David Cooke

FRACA000148 That the Authority

1. Endorse the following revised policies and documents:
 - Risk Management Policy
 - Procurement Policy
 - Allowances & Reimbursement of Expenses Policy
 - Communication Policy
 - Informal Gatherings Policy
 - Records Management Policy
 - Code of Conduct for Board / Committee Members
 - Code of Practice for Meeting Procedures
2. Note the schedule for future policy / key document review.

CARRIED

6.5 2017-18 Third Quarter Budget Review Report

Moved: Mr David Cooke

Seconded: Mayor Graham Philp

FRACA000149

1. That the Authority for the period ending 31 March 2018 adopts a Budget Review with Operating Expenses of \$3,048,778 and estimated cash at end of reporting period of \$867,589.
2. That the 2017-18 Annual Business Plan and Budget be amended to reflect the variances as authorised by the Authority.
3. That the Authority recommend the Budget Review (as at 31 March 2018) and the budget variations contained therein to the constituent Councils for endorsement.

CARRIED

7. MATTERS FOR DISCUSSION

7.1 LGFA Depreciation Reserve Funds

Moved: Mr David Cooke

Seconded: Mr John Coombe

FRACA000150 That the Authority recommend to the constituent Councils, a review of the Authority Charter in relation to accumulation of Depreciation Reserve Funds with the following considerations:

1. Funds accumulated as at 30 June 2018 (a forecast balance of \$867,185) be retained by the Authority for the purposes of funding renewal and replacement capital expenditure;
2. That from 1 July 2018, contributions to the Authority from constituent Councils be provided net of depreciation expense (noting that the annual forecast operating deficit for the Authority will be equivalent to depreciation expense);
3. On the depletion of the Authority Depreciation Reserve Fund, the Authority will explore loan funding as required to fund future renewal and replacement capital expenditure;
4. The impact on the Authority Long Term Financial Plan from 2018-19 onwards, including resultant changes to interest income, interest expense, Council contributions and operating deficit; and to cashflows for renewal and replacement of assets and any forecast requirement for loan funding; and
5. Noting that in developing this resolution, the Authority has sought the advice of its external auditors, Dean Newbery & Partners.

CARRIED

7.2 Alexandrina Council consideration of FRACA 3-Year Business Plan and 2018-19 Budget

The Board noted the Alexandrina Council resolutions of 7 May 2018 regarding its agenda item 10.2 Fleurieu Regional Aquatic Centre Authority 3 Year Business Plan 2018-2021 & 2018-19 Budget; and that the City of Victor Harbor will consider these documents at its meeting on 28 May 2018.

8 URGENT BUSINESS WITHOUT NOTICE

8.1 Appointment of Acting Executive Officer

The Board noted that pursuant to the Charter requirement under clause 4.3, the Executive Officer has appointed Ms Elizabeth Williams, General Manager Organisation & Community, Alexandrina Council; as Acting Executive Officer from 21 May to 7 June 2018 whilst the Executive Officer is on leave.

8.2 FAC Defects

The Board noted the verbal update provided by the Executive Officer regarding two remaining defects and the further extension of the Defects Liability Period.

8.3 Extension of Executive Officer Contract

The Executive Officer left the room for the duration of this discussion.

The Board noted that Leonie Boothby & Associates Pty Ltd has agreed to an extension of the contract for Executive Officer management services until 30 November 2018 (allowing a handover period as required) and that a procurement process will be undertaken in due course.

9. CONFIDENTIAL REPORTS

Nil

10. NEXT MEETING

Ordinary meeting: Friday 20 July 2018, 10am – City of Victor Harbor – Encounter Room, Civic Centre, 1 Bay Road, Victor Harbor

CLOSURE

Meeting closed at 11:43am.