

**Date & Time:** Friday 3 February 2023, 9:30am  
**Location:** Large Meeting Room, Alexandrina Council

---

**Meeting Opened:** 9:34am

**1. Present**

Steve Mathewson	Independent Chairperson
Mark Easton	Independent Member
Vicki Tomlinson	Independent Member
Angela Schiller	Council Member Representative, City of Victor Harbor
Lou Nicholson	Deputy Council Member Representative, Alexandrina Council

**In Attendance**

Stewart Burns	Deputy Council Member Representative, City of Victor Harbor
Andrew Baker	Executive Officer, FRACA
James Lomax	Regional Manager, YMCA

**2. Apologies**

Margaret Gardner	Elected Member, Alexandrina Council
------------------	-------------------------------------

**3. Conflicts of Interest**

Nil

*The Chairperson undertook the meeting in the order presented to align with times of guests at the meeting and to facilitate the logical order of discussion. Numbering is not presented in sequential order, rather the order of proceedings.*

*James Lomax joined the meeting at 9:32*

**8. Confidential Reports**

**8.1. YMCA Quarterly Performance Report – Q2**

Motion: FRACA00580  
Moved: Vicki Tomlinson  
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 Executive Officer, and James Lomax (YMCA), on the basis that it will receive and consider item 8.1 YMCA Quarterly Performance Report – Q2.*

*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**

### **8.2. Budget Review 2022-2023 – Q2**

Motion: FRACA00582  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*Pursuant to Section 90(2) of the Local Government Act 1999, the Board orders that the public be excluded from the meeting, with the exception of the Executive Officer and James Lomax (YMCA), on the basis it will receive and consider item 8.2 Budget Review 2022-2023 – Q2.*

*The Board is satisfied that, pursuant to Section 90(3)(d) of the Act, that the information to be received, discussed, or considered in relation 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 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**

Motion: FRACA00583  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*The Authority Board:*

- For the period ending 31 December 2022 adopt a Budget Review with an operating deficit of \$952,875 and estimated cash at the end of the reporting period of \$627,635;*
- Recommend the Budget Review as at 31 December 2022 to Constituent Councils with an amendment to Council Contributions of \$240,724 due to the increase in electricity charges and instruct the Executive Officer to prepare communications to the Constituent Councils;*

- *Release the Resolution and Attachment 8.2b Uniform Presentation of Finances – Q2 2022-2023 from confidence and;*
- *Extend an invitation to the Elected Members of the Constituent Councils to an orientation and information session to be conducted at the Fleurieu Aquatic Centre.*

**CARRIED**

*James Lomax left the meeting at 10:51am*

**4. Minutes of Previous Meeting**

**4.1. Adoption and Noting of Minutes**

Motion: FRACA00584  
 Moved: Vicki Tomlinson  
 Seconded: Cr. Angela Schiller

*The Authority Board:*

- *adopt the public minutes of the Board meeting held on 16 December 2022; and*
- *note the public minutes of the Audit & Risk Management Committee meeting held 20 January 2023.*

**CARRIED**

**5. Business Arising**

**5.1. Board Annual Work Plan**

Motion: FRACA00585  
 Moved: Cr. Angela Schiller  
 Seconded: Mark Easton

*The Authority Board receive and note the Board Annual Work Plan 2023 as presented on 3 February 2023.*

**CARRIED**

**7. Reports**

**7.1. A&RMC Annual Activity Report 2021-2022**

Motion: FRACA00586  
 Moved: Cr. Angela Schiller  
 Seconded: Mark Easton

*The Authority Board receive and note the Audit Committee Activity Report 2021-2022 and thank the Committee for its contribution and support of the Authority Board.*

**CARRIED**

## 7.2. RDA Public Transport Survey

Motion: FRACA00587  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*The Authority Board:*

- *receive and note the report; and*
- *acknowledge that a further update will be provided to the Board once known.*

**CARRIED**

## 7.3. Resolutions Register – A&RMC

Motion: FRACA00588  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*The Authority Board receive and note the Resolutions Register – Audit & Risk Management Committee Report and attachments.*

**CARRIED**

## 7.4. Risk Management Framework

Motion: FRACA00589  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*The Authority Board:*

- *receive and note the report; and*
- *acknowledge the scope of works as presented, including the requirement for a Strategic Risk Workshop involving the Board and Committee to be held at a date to be determined.*

**CARRIED**

## 8. Confidential Reports (continued)

### 8.3. In Confidence Resolutions Register – A&RMC

Motion: FRACA00590  
Moved: Vicki Tomlinson  
Seconded: Mark Easton

*Pursuant to Section 90(2) of the Local Government Act 1999, the Board orders that the public be excluded from the meeting, with the exception of the Executive Officer on the basis it will receive and consider item 8.3. In Confidence Resolutions Register – A&RMC.*

*The Board is satisfied that, pursuant to Section 90(3)(d) of the Act, that the information to be received, discussed, or considered in relation 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 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**

#### **8.4. Adoption and Noting of Confidential Minutes**

Motion: FRACA00592  
Moved: Mark Easton  
Seconded: Cr. Angela Schiller

*Pursuant to Section 90(2) of the Local Government Act 1999, the Board orders that the public be excluded from the meeting, with the exception of the Executive Officer, on the basis it will receive and consider item 8.4. Adoption and Noting of Confidential Minutes.*

*The Board is satisfied that, pursuant to Section 90(3)(d) of the Act, that the information to be received, discussed, or considered in relation 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 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**

## 8.5. A&RMC Self-Assessment Review

Motion: FRACA00594  
Moved: Mark Easton  
Seconded: Cr. Angela Schiller

*Pursuant to Section 90(2) of the Local Government Act 1999, the Board orders that the public be excluded from the meeting, with the exception of the Executive Officer, on the basis it will receive and consider item 8.5. A&RMC Self-Assessment Review.*

*The Board is satisfied that, pursuant to Section 90(3)(a) of the Act, that the information to be received, discussed, or considered in relation 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 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 of a particular person or persons, relating to performance of duties.*

**CARRIED**

## 6. Verbal Report

### 6.1. Executive Officer Update

Motion: FRACA00596  
Moved: Cr. Angela Schiller  
Seconded: Mark Easton

*The Authority Board note the verbal update provided by the Executive Officer regarding current Authority work items in progress.*

**CARRIED**

## **8. Confidential Reports (continued)**

### **8.6. FRACA Resourcing**

Motion: FRACA00597  
Moved: Cr. Angela Schiller  
Seconded: Cr. Lou Nicholson

*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 Executive Officer, on the basis that it will receive and consider item 8.6. FRACA Resourcing.*

*The Board 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 of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

*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 because it relates to a selection process yet to be finalised.*

**CARRIED**

**9. Next Meeting:** 31 March 2023 – City of Victor Harbor, Council Chambers.

**10. Meeting Closed:** 1:13pm

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.