

**Date & Time:** Friday 3 March 2023, 9:30am  
**Location:** Council Chambers, City of Victor Harbor

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## Meeting Opened: 9.33am

### 1. Present

Steve Mathewson	Independent Chairperson
Mark Easton	Independent Member
Vicki Tomlinson	Independent Member
Angela Schiller	Council Member Representative, City of Victor Harbor
Margaret Gardner	Council Member Representative, Alexandrina Council

### In Attendance

Lou Nicholson	Deputy Council Member Representative, Alexandrina Council
Danielle Leckie	FRACA Administration Officer

### 2. Apologies

Nil

### 3. Conflicts of Interest

Steve Mathewson declared a general conflict of interest. He will be commencing a contracted position as the Consultant Chief Information Officer with Alexandrina Council on 6 March 2023. Steve has identified he will remain in the role of Chair and undertake regular business unless a specific conflict of interest is identified in the future. Each item of business will be considered, and any identified conflicts of interest declared and addressed as appropriate.

### 4. Minutes of Previous Meeting

#### 4.1. Adoption of Minutes

Motion: FRACA00600  
Moved: Mark Easton  
Seconded: Vicki Tomlinson

*The Authority Board adopt the minutes of the Board meeting held on 3 February 2023.*

### CARRIED

### 5. Reports

#### 5.1. Projects Update

Motion: FRACA00601  
Moved: Cr Angela Schiller  
Seconded: Mark Easton

*The Authority Board:*

- *Receives and notes the report; and*
- *Notes the progress made on each item as presented in the Report.*

**CARRIED**

## **6. Confidential Reports**

### **6.1. Adoption of Confidential Minutes and Release of Confidentiality**

Motion: FRACA00602  
Moved: Mark Easton  
Seconded: Cr Margaret Gardner

*Pursuant to section 9(2) of the Local Government Act 1999, the Authority Board orders that all members of the public be excluded, with the exception of proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.1 Adoption of Confidential Minutes and Release of Confidentiality.*

*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.*

**CARRIED**

Motion: FRACA00603  
Moved: Cr Angela Schiller  
Seconded: Vicki Tomlinson

*The Authority Board:*

- *Adopts the confidential minutes of the Board meetings held on 3 February 2023;*
- *Notes the out of session report FRACA Resourcing Interim Support distributed via email on 15 February 2023 approved unanimously;*
- *Requests formal communications be provided to Constituent Councils advising of the resignation of the Executive Officer Andrew Baker;*
- *Releases the report 6.1b FRACA Resourcing Interim Support and resolution made from confidence following Council Communications; and*
- *Retains the attachment to the FRACA Resourcing Interim Support 'Executive Support Services Fee Proposal' in confidence as included at attachment 6.1c.*

## **CARRIED**

### **6.2. Risk Management Framework**

Motion: FRACA00604  
Moved: Cr Margaret Gardner  
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 proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.2 Risk Management Framework.*

*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).*

## **CARRIED**

Motion: FRACA00605  
Moved: Vicki Tomlinson  
Seconded: Mark Easton

*The Authority Board:*

- *Receives and notes the report;*
- *Notes the Risk Management Framework document as presented by the YMCA in attachment 6.2a YMCA Work Health and Safety Overview, and that this framework will be used to inform the Authority's Risk Management Framework;*
- *Endorses that a request be made to the YMCA for the provision of relevant Risk Framework documents (or their equivalent) to the Authority by Friday 10 March 2023; and*
- *Notes the need for a Workshop to progress the Framework, to be scheduled in 2023.*

**CARRIED**

Motion: FRACA00606  
Moved: Vicki Tomlinson  
Seconded: Cr Margaret Gardner

*The Authority Board release the report 6.2 Risk Management Framework and its resolution from confidence.*

**CARRIED**

**6.3. Procurement – CCTV**

Motion: FRACA00607  
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 proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.3 Procurement - CCTV.*

*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).*

**CARRIED**

#### 6.4. FRACA Resource Model

Motion: FRACA00609  
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 proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.4 FRACA Resource Model.*

*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 because it relates to information regarding the management options and structure of the Authority.*

#### **CARRIED**

#### 6.5. FRACA Executive Officer

Motion: FRACA00611  
Moved: Mark Easton  
Seconded: Vicki Tomlinson

*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 proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.5 FRACA Executive Officer.*

*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 because it relates to information regarding the management options, staff impacts and structure of the Authority.*

**CARRIED**

**6.6 Chairperson Verbal Report**

Motion: FRACA00614  
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 proxy Board Members Lou Nicholson, and Administration Officer Danielle Leckie, on the basis that it will receive and consider item 6.6 Chairperson Verbal Report.*

*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 because it relates to commercial information related to the Authority.*

**CARRIED**

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

**8. Meeting Closed:** 11.46am

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.