

**Date:** Thursday 4 April 2019

**Location:** City of Victor Harbor – Encounter Room, Civic Centre, 1 Bay Road, Victor Harbor

Meeting opened at 10:02am

## 1. ATTENDANCE

**Present:**

Ian Swan (Independent Chairperson)

John Coombe OAM (FRACA Board Member) (via telephone)

Elizabeth Williams (General Manager Organisation & Community, Alexandrina Council)

Kellie Knight-Stacey (Director Corporate & Community Services City of Victor Harbor)

**In attendance:**

Leonie Boothby, Executive Officer

## 2. APOLOGIES

Nil

## 3. CONFLICT OF INTEREST

Nil

## 4. MINUTES OF THE PREVIOUS MEETING

**Moved:** John Coombe OAM

**Seconded:** Kellie Knight-Stacey

FRACA-ARMC0037 That the minutes of the previous Fleurieu Regional Aquatic Centre Authority Audit & Risk Management Committee meeting held on Thursday 14 February 2019 as circulated (noting correction to resolution numbering) be confirmed as a true and accurate record.

**CARRIED**

## 5. BUSINESS ARISING

### 5.1 Resolutions Report and Work Program

**Moved:** Elizabeth Williams

**Seconded:** Kellie Knight-Stacey

FRACA-ARMC0038 That the Committee note the Work Program and Resolutions Report as at 4 April 2019.

**CARRIED**

**Action:** Executive Officer to undertake a review of confidential items and provide a report to the next Committee meeting.

## 6. PRESENTATIONS

Nil

## 7 REPORTS

### 7.1 Annual Review of 10-Year Strategic Management Plans

**Moved:** Kellie Knight-Stacey

**Seconded:** Elizabeth Williams

FRACA-ARMC00039: That the Committee notes the review for further endorsement by the Authority Board and that the 10-Year Strategic Management Plans will be updated as required following endorsement of the 2019-20 Authority Budget.

**CARRIED**

### 7.2 Draft 3-Year Business Plan 2019-2022 & Budget 2019-2020

**Moved:** John Coombe OAM

**Seconded:** Kellie Knight-Stacey

FRACA-ARMC0040

1. That the Committee recommend to the Authority the 3-Year Business Plan 2019-2022 (incorporating the 2019-2020 Fleurieu Aquatic Centre Business & Marketing Plan); and
2. That the Committee recommend to the Authority the 2019-20 Budget with Operating Expenses of \$3,364,050, estimated cash as at 30 June 2020 of \$791,060 and capital expenditure of \$41,966

**CARRIED**

## 8 URGENT BUSINESS WITHOUT NOTICE

Nil

## 9. CONFIDENTIAL REPORTS

### 9.1 Draft YMCA Operational Management Key Performance Indicators 2019-20

**Moved:** Elizabeth Williams

**Seconded:** Kellie Knight-Stacey

FRACA-ARMC0041 That the Committee:

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 the Executive Officer, Ms Leonie Boothby; 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 2019-2020, 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

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 2019-2020 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:** Kellie Knight-Stacey

**Seconded:** Elizabeth Williams

FRACA-ARMC0042 That the Committee:

1. Recommend that the Authority endorse the Key Performance Indicators for YMCA South Australia for management and operations of the Fleurieu Aquatic Centre for 2019-2020 (as detailed in the report for Agenda Item 9.1 Draft Operational Management Key Performance Indicators 2019-2020) and;
2. 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 and associated documents in relation to the 4 April 2019 confidential item 9.1, Draft Operational Management Key Performance Indicators 2019-2020, 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.

**CARRIED**

## 10. NEXT MEETING

10am, Thursday 16 May 2019, Fleurieu Aquatic Centre, 4 Ocean Rd Chiton

## CLOSURE

Meeting closed at 10:33am