

CITY OF HOLDFAST BAY

Minutes of the meeting of the Alwyndor Management Committee of the City of Holdfast Bay held at Alwyndor Aged Care, Dunrobin Road, Hove on Thursday 18 July 2019 at 6.30pm.

PRESENT

Elected Members

Councillor P Chabrel
Councillor S Lonie

Independent Members

Chairperson – Ms T Aukett
Mr T Bamford
Ms J Bonnici
Mr K Cheater
Mr K Whitford

Staff

Chief Executive Officer – Mr R Bria
Acting General Manager Alwyndor – Mr B Capes
Personal Assistant – Ms R Gordon
Residential Services Manager – Mr G Harding

Guests

Dr J Grealy, Tierra Health

1. OPENING

The Chairperson declared the meeting open at 6.33pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Chairperson stated:

We acknowledge the Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. APOLOGIES

3.1 For Absence - Nil

3.2 Leave of Absence - Ms J Cudsi

4. DECLARATION OF INTEREST

Members were reminded to declare any interest before each item.

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Previous Meeting

Motion

That the minutes of the Alwyndor Management Committee held on 20 June 2019 be taken as read and confirmed.

Moved Cr Lonie, Seconded Cr Chabrel

Carried

5.2 Confidential Minutes of the Previous Meeting

Motion

That the confidential minutes of the Alwyndor Management Committee held on 20 June 2019 be taken as read and confirmed.

Moved Ms Bonnici, Seconded Cr Lonie

Carried

6. REVIEW OF ACTION ITEMS

6.1 **Action Items**

Action items were reviewed by the Committee.

6.2 **Confidential Action Items**

Confidential action items were reviewed by the Committee.

7. REPORTS/ITEMS OF BUSINESS

7.1 **Appointment of Chairperson and Deputy Chairperson and Re-appointment of Members to the Alwyndor Management Committee (Report No: 23/19)**

At the first meeting of the Management Committee in every financial year, the AMC shall appoint, for an annual term, a Chairperson and a Deputy Chairperson from amongst the Management Committee Members. The incumbent office bearers shall be eligible for reappointment at the expiry of their term, at the AMC's discretion.

The AMC may make recommendations to the Council regarding the reappointment of any member at the expiration of the member's term of office which reappointment shall be entirely in the discretion of the Council.

The Chairperson commended members of the Committee for their commitment to Alwyndor.

Motion

That the Alwyndor Management Committee declares the positions of Chairperson and Deputy Chairperson vacant and appoints the Acting General Manager to act as the Returning Officer for the election of Chairperson and Deputy Chairperson.

Moved Mr Bamford, Seconded Ms Aukett

Carried

The Acting General Manager sought nominations for the positions of Chairperson and Deputy Chairperson.

Chairperson

As there was only one nomination for the position of Chairperson, the Returning Officer declared that Mr Cheater was elected Chairperson of the Alwyndor Management Committee.

Deputy Chairperson

As there was only one nomination for the position of Deputy Chairperson, the Returning Officer declared that Ms Bonnici was elected Deputy Chairperson of the Alwyndor Management Committee.

Motion

That the Alwyndor Management Committee:

- 1. Appoints Mr Kim Cheater to the position of Chairperson for the year ending 30 June 2020; and that Council be advised accordingly.**
- 2. Appoints Ms Julie Bonnici to the position of Deputy Chairperson for the year ending 30 June 2020; and that Council be advised accordingly.**

Moved Mr Whitford, Seconded Cr Lonie

Carried

The Returning Officer then vacated the Chair, and Mr Cheater assumed the role of Chairperson for the remainder of the meeting.

The incoming Chairperson, Mr Cheater thanked Ms Aukett for her leadership of the AMC over the past year.

Member re-appointment

The Chairperson sought expressions of interest from members seeking reappointment to the Alwyndor Management Committee following the expiration of the members' term of office.

Motion

3. **Recommends to Council the reappointment of Ms Julie Bonnici, Mr Todd Bamford, and Ms Julia Cudsi to a two-year term as a member of the Alwyndor Management Committee.**

Moved Cr Chabrel, Seconded Mr Whitford

Carried

Leave of the Meeting

The Chairperson sought leave of the meeting to change the order of the Reports on the Agenda, Report No: 26/19 Short-term Strategy – Action Plan and Progress – July 2019, then Report No: 27/19 Residential Services Update, then Report No: 25/19 Monthly Financial Report – June 2019.

Leave of the meeting was granted.

8. CONFIDENTIAL

- 8.1 **Short-term Strategy - Action Plan and Progress - July 2019** (Report No: 26/19)

Exclusion of the Public – Section 90(3)(d) Order

1. **That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 26/19 Short-term Strategy – Action Plan and Progress – July 2019 in confidence.**
2. **That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 26/19 Short-term Strategy – Action Plan and Progress – July 2019 on the following grounds:**
 - d. **pursuant to section 90(3)(d) of the Act, 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 could reasonably be expected to confer a commercial advantage on a third party as the knowledge of our requirements to employ additional resources may provide a commercial advantage to a third party regarding the sourcing and employment of those resources.**

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to

the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Cr Lonie, Seconded Cr Chabrel

Carried

Motion

RETAIN IN CONFIDENCE - Section 91(7) Order

5. That having considered Agenda Item 8.1 Short-term Strategy – Action Plan and Progress – July 2019 (Report No: 26/19) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor, pursuant to section 91(7) of that Act orders that the Report, Attachments and Minutes be retained in confidence for a period of 18 months and that this order be reviewed every 12 months.

Moved Mr Bamford, Seconded Mr Whitford

Carried

8.2 Residential Services Update (Report No: 27/19)

Exclusion of the Public – Section 90(3)(b) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 27/19 Residential Services Update in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 27/19 Residential Services Update on the following grounds:
 - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Alwyndor Management Committee would prejudice the commercial position of Alwyndor in that it may impact Alwyndor's ability to be commercially competitive.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Cr Lonie, Seconded Mr Whitford

Carried

Motion

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 8.2 Residential Services Update (Report No: 27/19) in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Alwyndor, pursuant to section 91(7) of that Act orders that the Report, Attachment and Minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

Moved Ms Aukett, Seconded Mr Bamford

Carried

Mr Harding left the meeting at 8.02pm

8.3 **Monthly Financial Report – June 2019** (Report No: 25/19)

Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 25/19 Monthly Financial Report – June 2019 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 25/19 Monthly Financial Report – June 2019 on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, 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 could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition

Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- 3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.**

Moved Cr Lonie, Seconded Mr Bamford

Carried

Motion

RETAIN IN CONFIDENCE - Section 91(7) Order

- 4. That having considered Agenda Item 8.3 Monthly Financial Report – June 2019 (Report No: 25/19) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Report, Attachments and Minutes be retained in confidence for a period of 18 months and that this order be reviewed every 12 months.**

Moved Cr Lonie, Seconded Mr Bamford

Carried

The order of the meeting resumed.

7.2 Acting General Manager's Report (Report No: 24/19)

These items are presented for the information of Members. After noting the report any items of interest can be discussed and, if required, further motions proposed.

The Committee noted the Acting General Manager's Report.

The Acting General Manager provided an update on the allergy hazard noted at the previous meeting, advising that this was a potential, not actual, hazard and the actions were taken as preventative measures.

The Acting General Manager also informed the Committee of an error on the WHS report advising that the actual figure for Incidents by Department for June should be 2.

The Committee noted the feedback analysis report and indicated that it requires more analysis and refining.

The Acting General Manager provided a verbal update on legal and industrial matters, advising that the result of a case appeal had been received and a Directions Hearing has been scheduled.

Cr Lonie left the meeting at 8.21pm.

Cr Lonie re-joined the meeting at 8.22pm.

The Acting General Manager confirmed that an Enterprise Agreement negotiations meeting was held on 8 July advising that we had received a claim from the ANMF and are awaiting the ASU's claim. The next negotiation meeting will be held in August.

The Acting General Manager advised that the new Finance Manager commences on Monday.

The Committee noted the New Aged Care Standards summary and Standard 8 as provided.

Motion

That the following items be noted and items of interest discussed:

- 1. Meeting Dates and Task Schedule**
- 2. WHS Report**
- 3. Corporate Risk Register**
- 4. Feedback Analysis Report**
- 5. Legal and Industrial Matters**
- 6. Enterprise Bargaining Agreement Update**
- 7. General Update**
- 8. New Aged Care Standards**

Moved Ms Bonnici, Seconded Cr Lonie

Carried

7.3 Instruments of Delegation for the Alwyndor Management Committee and General Manager Alwyndor (Report No: 28/19)

The City of Holdfast Bay has as part of its annual review of delegations (a legislatively required review), adopted a new Instrument of Delegation under the *Local Government Act 1999* (the Act), due to legislative changes to the Act.

Subsequent to Council adopting these delegations, the delegations from Council to the Alwyndor Management Committee under the Act, which were the same as previous, were re-delegated and to come into effect from 12.00am 1 August 2019.

Council re-delegated powers to the General Manager, Alwyndor under the Act, which were the same as previous.

The Committee noted the report and that the Aged Care Act Delegations were not provided and requested that these be tabled at the next meeting.

Motion

That the Alwyndor Management Committee:

- 1. notes the Instrument Delegation under the *Local Government Act 1999* delegated 25 June 2019 to the Alwyndor Management Committee, effective from 12.00am on 1 August 2019 as per Instrument of Sub-Delegation dated 25 June 2019; and**
- 2. notes the Instrument of Delegation under the *Local Government Act 1999* delegated 25 June 2019 to the General Manager, Alwyndor.**

Moved Cr Lonie, Seconded Ms Aukett

Carried

9. URGENT BUSINESS – Subject to the leave of the meeting

Nil

9. DATE AND TIME OF NEXT MEETING

The next meeting of the Alwyndor Management Committee will be held on Thursday 15 August 2019 in the Meeting Room, Alwyndor Aged Care, 52 Dunrobin Road, Hove.

10. CLOSURE

The meeting closed at 8.30 pm.

CONFIRMED 15 August 2019

CHAIRPERSON