

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 Tuesday 21 March 2017 at 7.41 pm.

PRESENT

Elected Members

Councillor S Lonie

Independent Members

Chairman – Mr D Royans

Mr T Bamford

Ms J Bonnici

Ms J Cudsi

Mr O Peters

Mr I Pratt

Ms L Wills

Staff

General Manager Alwyndor– Mr R Kluge

Manager Finance & Administration – Ms P Warburton

1. OPENING

The Chairman declared the meeting open at 7.41pm.

2. APOLOGIES

2.1 For Absence - Cr Aust

2.2 Leave of Absence - Nil

3. DECLARATION OF INTEREST

Members were reminded to declare any interest before each item.

4. CONFIRMATION OF MINUTES

Motion

That the minutes of the Alwyndor Management Committee held on 21 February 2017 be taken as read and confirmed with the alteration of the item 13 Closure being altered to read item 8 Closure.

Moved by Mr Bamford, Seconded by Cr Lonie

Carried

5. REPORTS/ITEMS OF BUSINESS

5.1 General Manager's Report (Report No: 06/17)

These items are presented for the information of the Committee.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

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

Motion

- 1** That pursuant to Section 90(2) of the *Local Government Act 1999* the Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Staff in attendance at the meeting in order to consider Report No: 06/17 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: 06/17 on the following grounds:
 - h.** pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice in that it has been provided by Norman Waterhouse Lawyers on instructions from the General Manager Alwyndor regarding the Industrial Issues up-date included in the General Manager's Report.
- 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 Mr Bamford, Seconded Cr Lonie

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Agenda Item 5.1 General Manager's Report (Report No: 06/17) in confidence under section 90(2) and (3)(h) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachment to Report No: 06/17 be retained in confidence for a

period of 24 months and the General Manager Alwyndor is authorised to release the documents when the industrial matter is resolved and that this order be reviewed every 12 months by the Council.

Moved Cr Lonie, Seconded Ms L Wills

Carried

5.2 Financial Delegations (Report No: 07/17)

Each year the Alwyndor Management Committee is asked to review the City of Holdfast Bay's financial delegations where they relate to the day to day operations of Alwyndor. The financial delegations attached to this report were endorsed by the Chief Executive Officer on 21 January 2017.

Motion

That the Alwyndor Management Committee note the Financial Sub-Delegations as endorsed by the CEO on 21 January 2017 and recommend the following amendments:

- **The names of officers holding positions with financial delegations be updated to reflect the current incumbents and presented to the Committee for information at the April meeting.**
- **That the financial delegations for each role be reviewed and presented to the Committee for information at the April meeting.**
- **That the General Manager Alwyndor receive sub-delegations under S139 – Investment Powers, under *the Local Government Act 1999*.**

Moved Mr Peters, Seconded Mr Bamford

Carried

5.3 Catering Contract – Renewal (Report No: 08/17)

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

Motion

- 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 Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 08/17 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: 08/17 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 this would affect any negotiations which Vision Food Solutions have underway with any other facilities.

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 Ms Cudsi

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Agenda Item 5.3 Catering Contract – Renewal (Report No: 08/17) 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 and Minutes be retained in confidence for a period of 24 months and/or the Chief Executive Officer is authorised to release the documents when the contract has concluded and that this order be reviewed every 12 months.

Moved Ms Bonnici, Seconded Mr Pratt

Carried

- 5.4 Draft Budget (Report No: 09/17)

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

Motion

- 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 Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 09/17 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: 09/17 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 as it would disclose the proposed budget for 2017/18 financial year before its presentation to Council and incorporated into the consolidated financial statements of the City of Holdfast Bay.

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 Mr Pratt, Seconded Mr Peters

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Agenda Item 5.4 Draft Budget (Report No: 09/17) in confidence under section 90(2) and (3)(b) 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/or the Chief Executive Officer is authorised to release the documents when publication of the consolidated financial accounts for public consultation as part of the Annual Business Planning process and that this order be reviewed every 12 months.

Moved Ms Bonici, Seconded Mr Pratt

Carried

5.5 Financial Sub-Committee Agenda

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

Motion

- 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 Chief Executive Officer and Staff in attendance at the meeting in order to consider Item 5.5 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 Item 5.5 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 Management Committee by disclosing the detailed financial reporting for the operations of Alwyndor.

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 Mr Pratt, Seconded Mr Peters

Carried

RETAIN IN CONFIDENCE - Section 91(7) Order

Motion

That having considered Agenda Item 5.5 Finance Sub-Committee Agenda in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

Moved Mr Pratt, Seconded Mr Peters

Carried

6. **URGENT BUSINESS – Subject to the leave of the meeting**

7. **DATE AND TIME OF NEXT MEETING**

The next meeting of the Alwyndor Management Committee will be held on Tuesday 18 April 2017 in the Meeting Room, Alwyndor Aged Care, 52 Dunrobin Road, Hove.

8. **CLOSURE**

The meeting closed at 9.03 pm.

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