

# MINUTES

## ORDINARY BOARD MEETING | 18 NOVEMBER 2021

### PRESENT:

#### Board Member

Cr Harry Seager, Chair

Mr Greg Parker, Executive Officer to the Summit Sport and Recreation Park Board

Cr Ian Bailey

#### Via Zoom

Ms Heather Barclay, General Manager, Assets & Infrastructure

Ms Elizabeth Williams, General Manager Resources

#### In Attendance

Ms Leah Maxwell, Executive Officer

Ms Sarah O'Flaherty, Finance and Business Manager

Ms Sarah Barrett, Strategic Resource Recovery Coordinator

Mr Ben Tume, Operations Manager

Mr Matt Black, Minute Secretary

#### Council

Mount Barker District Council

Mount Barker District Council

Adelaide Hills Council

Rural City of Murray Bridge

Alexandrina Council

#### Organisation

AHRWMA

AHRWMA

AHRWMA

AHRWMA

Mount Barker District Council

### 1. ORDINARY MEETING COMMENCEMENT AND WELCOME

Meeting commenced 3.29pm

### 2. APOLOGIES

Mr Marc Salver, Cr Fred Toogood, Cr Michael Farrier.

### 3. CONFIRMATION OF MINUTES

Moved Cr Bailey that the minutes for the meeting held on 9 September 2021 be taken as read and confirmed.

Seconded Greg Parker

CARRIED UNANIMOUSLY

OM20211118.01

### 4. CONFLICTS OF INTEREST

#### 4.1. Disclosure of Actual Conflict of Interest

Date of Meeting: 18 November 2021

Board Member Name: Ms Heather Barclay

Matter to be Discussed: 13.2 Murraylands Riverland LGA Regional Tender – update

Nature of Interest: The Rural City of Murray Bridge is a member of the Murraylands Riverland Local Government Association which has issued the tender. Ms Heather Barclay will not vote on the item and will leave the meeting prior to consideration of item 13.2.

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### 5. RECOMMENDATIONS FROM ADVISORY COMMITTEES

#### 5.1. Audit Committee Meeting

Moved Greg Parker that the Board receive the Audit Committee Minutes and note the Audit Committee recommendations.

Seconded Heather Barclay

CARRIED UNANIMOUSLY  
OM20211118.02

### 6. REPORTS

#### 6.1. First Quarter Financials, Budget Review and Landfill Statistics

Moved Cr Ian Bailey that the first quarter FY2022 finances, budget review and statistics be received and adopted.

Seconded Greg Parker

CARRIED UNANIMOUSLY  
OM20211118.03

#### 6.2. First Quarter Performance Report

Moved Greg Parker that the First Quarter 2021/22 Performance Report be received and noted and a summary be provided to member Council CEOs.

Seconded Elizabeth Williams

CARRIED UNANIMOUSLY  
OM20211118.04

#### 6.3. Board Membership and Charter Implementation Update

Moved Greg Parker that the Board receive the report.

Seconded Cr Ian Bailey

CARRIED UNANIMOUSLY  
OM20211118.05

#### 6.4. Report on FY2021 Financial Results

Moved Heather Barclay that the Board receives the Report on FY2021 Financial Results.

Seconded Elizabeth Williams

CARRIED UNANIMOUSLY  
OM20211118.06

### 7. INFORMATION REPORTS

#### 7.1. Strategic Resource Recovery Coordinator Update

Moved Greg Parker that the Strategic Resource Recovery Coordinator Report be noted.

Seconded Cr Ian Bailey

CARRIED UNANIMOUSLY  
OM20211118.07

### 8. CORRESPONDENCE

Nil

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### 9. ANY OTHER BUSINESS

#### 9.1. Resignation

Sarah Barrett has handed in her resignation. Her last day is 24 November 2021.

Moved Heather Barclay to thank Sarah Barrett for her efforts as Strategic Resource Recovery Officer and wish her well in her future endeavors.

Seconded Cr Ian Bailey

CARRIED  
OM20211118.08

### 10. QUESTIONS ON NOTICE

Nil

### 11. QUESTIONS WITHOUT NOTICE

Nil

### 12. MOTIONS ON NOTICE

Nil

### 13. CONFIDENTIAL REPORTS

#### 13.1. Draft Competitive Neutrality Review Report

Moved Cr Ian Bailey that Section 90 (3) (d) Order

Pursuant to Section 90(3)(d)

1. Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Matt Black, Minute Secretary, Leah Maxwell, Executive Officer, Sarah O'Flaherty, Finance and Business Manager and Ben Tume, Operations Manager be excluded from attendance at the meeting for Agenda Item 13.1 Draft Competitive Neutrality Report. The Board is satisfied that 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:
  - prejudice the commercial position of the person who supplied the information or
  - to confer a commercial advantage on a third party.

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. The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in a competitor receiving the information to the detriment of operations of the AHRWMA.

Seconded Elizabeth Williams

CARRIED UNANIMOUSLY  
OM20211118.9

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Moved Heather Barclay that Section 91(7) Order  
Pursuant to Section 91(7)

2. That having considered Agenda Item 13.1 (Draft Competitive Neutrality Report) in confidence under 90(2) and 3(d) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board report, attachment and all minutes be retained in confidence until the information is no longer considered commercial in confidence or such lesser period as may be determined by the Executive Officer. This order be reviewed every 12 months.

Seconded Cr Ian Bailey

CARRIED UNANIMOUSLY  
OM20211118.11

### 13.2. Murraylands Riverland LGA Regional Tender – update

Moved Cr Ian Bailey that Section 90 (3) (d) Order  
Pursuant to Section 90(3)(d)

1. Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Matt Black, Minute Secretary, Leah Maxwell, Executive Officer, Sarah O’Flaherty, Finance and Business Manager and Ben Tume, Operations Manager be excluded from attendance at the meeting for Agenda Item 13.2 Murraylands Riverland LGA Regional Tender Update. The Board is satisfied that 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 :
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Seconded Elizabeth Williams

CARRIED UNANIMOUSLY  
OM20211118.12

### Disclosure of Actual Conflict of Interest Declaration

Refer to Item	:13.2
Was Heather Barclay granted approval by the Minister to participate in the meeting, pursuant to section 74(3) of the Act?	:No
Did Heather Barclay take part in the meeting?	:No

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## ORDINARY BOARD MEETING | 18 NOVEMBER 2021

Did Heather Barclay remain in the chamber/online via Zoom? :No

Heather Barclay left the Zoom meeting at 4.11pm

**MEETING ADJOURNED AT 4.11pm due to lack of a quorum.**

**CHAIRPERSON** \_\_\_\_\_ **DATE** \_\_\_\_\_