

## ITEM NUMBER: 13.1

### ATTACHMENT 2

# CONFIDENTIAL MINUTES – ALWYNDOR MANAGEMENT COMMITTEE – 19 SEPTEMBER 2017 (Report 356/17)

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Alwyndor Management Committee Members upon the basis that the Alwyndor Management Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Alwyndor Management Committee will receive, discuss or consider:*

- b. **Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.**

**Confidential Minutes of the Alwyndor Management Committee Meeting held in the Boardroom, Alwyndor Aged Care, 52 Dunrobin Road Hove on Tuesday 19 September 2017.**

**6. ITEMS IN CONFIDENCE**

6.1 Energy Efficiency Assessment (Report No: 43/17)

**Exclusion of the Public – Section 90(3)(k) 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: 43/17 Energy Efficiency Assessment 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: 43/17 Energy Efficiency Assessment on the following grounds:
  - k. pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services, to undertake a level 2 energy audit of the Alwyndor facility.
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 Dr Peters, Seconded Ms Cudsi

Carried

Recent changes in the energy market have resulted in favourable conditions for Alwyndor to invest in energy saving solutions.

This report proposes how Alwyndor must establish a baseline of where and how energy is being used, then start to strategically and practically implement energy saving technologies to deliver positive environmental and financial outcomes.

**Motion**

**That the Alwyndor Management Committee:**

1. agrees to undertake a level 2 energy audit of the Alwyndor facility, at an estimated cost of \$20k.
2. agrees to consider committing up to \$319k over and above the current 2017/18 Capital budget for the purchase of a large scale solar PV array based on the outcome of the level 2 energy audit.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

3. That having considered Agenda Item 6.1 Energy Efficiency Assessment (Report No: 43/17) in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Alwyndor, pursuant to section 91(7) of that Act orders that the Report 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 the contract for the provision of services is signed and that this order be reviewed every 12 months.

*This order is subject to section 91(8)(b) of the Act which provides that details of the identity of the successful tenderer must be released once Alwyndor Management Committee has made a selection. In addition, section 91(8)(ba) of the Act requires details of the amount(s) payable by Alwyndor under a contract for the provision of cleaning services must be released once the contract has been entered into by all concerned parties.*

Moved Ms Cudsi, Seconded Cr Lonie

Carried

- 6.2 Monthly Financial Report – August 2017 (Report No: 42/17)

**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 General Manager and Staff in attendance at the meeting in order to consider Report No: 42/17 Monthly Financial Report – August 2017 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: 42/17 Monthly Financial Report – August 2017 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.**

- 4. 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 Pratt

**Carried**

Financial reports as at 31 August 2017 are provided for review. They comprise of the Scorecard (which replaces the financial dashboard, ACFI and work hours analysis), YTD Budget to Actuals Comparison, Movement in Funds/Reserve Accounts and, ACFI and Work Hours Analysis.

Ms Aukett left the room at 8.36pm

Ms Aukett re-entered the room at 8.39pm

**Motion**

- 1. That the Scorecard (Attachment 1) be received and noted.**
- 2. That the YTD Budget to Actual Comparison (Attachment 2) be received and noted.**
- 3. That the Movement in Fund/Reserve Accounts (Attachment 3) be received and the actions of the General Manager in reinvesting Term Deposits and redemption of investments be endorsed.**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

- 4. That having considered Agenda Item 6.2 Monthly Financial Report – August 2017 (Report No: 42/17) 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 Attachments and Minutes be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.**

Moved Cr Lonie, Seconded Dr Peters

**Carried**

**CONFIRMED**

**17 October 2017**

**CHAIRMAN**