

CONFIDENTIAL

MINUTES

of the

Special Audit Committee Meeting



Held, pursuant to the provisions of the
Local Government Act 1999, in the

**Council Chamber
Redbanks Road
Mallala**

on

Wednesday 21 June 2023 at 3.30pm

The Chairperson formally declared the meeting open at 3.35pm.

1 ACKNOWLEDGEMENT OF COUNTRY

The Committee acknowledges that we meet on the traditional lands of the Kurna and the Narungga people and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna and Narungga people living today.

2 ATTENDANCE RECORD

2.1 Present

Mr Alan Rushbrook (Chairperson) *(by electronic means)*

Mr Peter Fairlie-Jones (Independent Member) *(by electronic means)* from 3.54pm

Mayor Mark Wasley *(by electronic means)*

Deputy Mayor Marcus Strudwicke *(by electronic means)*

Councillor Margherita Panella *(by electronic means)*

Also in Attendance

Chief Executive Officer	Mr James Miller
Director, Corporate Services	Ms Sheree Schenk
Director, Finance	Mr Rajith Udugampola
Director, Growth and Investment	Mr Darren Starr
Director, Infrastructure and Environment	Mr Thomas Jones
Group Manager, Development and Community	Mr Michael Ravno
Governance Administration Officer/Minute Taker	Ms Stacie Shrubsole
Information Technology Officer	Mr Sean Murphy
Chair, Norman Waterhouse Lawyers	Mr Sean Keenihan
Principal, Alinea Group	Mr Ben Koop
Managing Director, Powell & Co Pty Ltd	Mr David Powell
Director, BRM Advisory	Mr Mark Booth
Councillor	Mr John Lush



3 BUSINESS ARISING

Nil

4 DECLARATION OF MEMBERS' INTEREST

Nil

5 QUESTIONS WITHOUT NOTICE

Nil

6 MOTIONS WITHOUT NOTICE

Nil

7 URGENT BUSINESS

Nil

8 CONFIDENTIAL ITEMS**8.1 TWO WELLS TOWN CENTRE MARKET ENGAGEMENT – SELECTION OF PREFERRED TENDER
COMMITTEE RESOLUTION 2023/029****Moved: Deputy Mayor Strudwicke****Seconded: Councillor Panella****“that:**

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Audit Committee orders that all members of the public, except Chief Executive Officer, Director Corporate Services, Director Finance, Director Growth and Investment, Director Infrastructure and Environment, Group Manager – Development and Community, Governance Administration Officer/Minute Taker, Mr Sean Keenihan of Norman Waterhouse Lawyers, Mr Ben Koop of Alinea Group, Mr David Powell of Powell and Co, Mr Mark Booth of BRM Advisory and Councillor John Lush, be excluded from attendance at the meeting of the Audit Committee for Agenda Item 8.1 – *Two Wells Town Centre Market Engagement – Selection of Preferred Tender*.**
- 2. The Audit Committee is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 8.1 – *Two Wells Town Centre Market Engagement – Selection of Preferred Tender* concerns commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being information relating to ongoing negotiations, and would on balance be contrary to the public interest;**
- 3. The Audit Committee is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”**

CARRIED



COMMITTEE RESOLUTION 2023/034**Moved: Mayor Wasley****Seconded: Deputy Mayor Strudwicke****"that:**

- 1. The staff report, minutes, Attachment 1, Attachment 2, Attachment 3, Attachment 4 and Attachment 5 pertaining to Item 8.1 – *Two Wells Town Centre Market Engagement - Selection of Preferred Tender* remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated;**



2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."

CARRIED

9 NEXT MEETING

Monday 3 July 2023 at 4.30pm.

10 CLOSURE

There being no further business, the Chairperson declared the meeting closed at 5.12pm.

Confirmed as a true record.

Chairperson:.....

Date: 03 / 07 / 2023