

# MINUTES

of the

## Special Meeting of the Audit Committee



Pursuant to the provisions of section 88 (1) of the  
*Local Government Act 1999*

HELD IN

**Council Chamber**  
**Redbanks Road, Mallala**

on

**Tuesday 19 July 2022 at 4.30pm**

The Chairperson formally declared the meeting open at 4.31pm.

**1. ATTENDANCE RECORD**

**1.1 Present**

Mr Alan Rushbrook (Chairperson)

Mr Peter Fairlie-Jones

Mayor Mark Wasley

Deputy Mayor Marcus Strudwicke

**Also in Attendance:**

Chief Executive Officer

Mr James Miller

General Manager – Finance and Business

Mr Rajith Udugampola

General Manager – Governance and Executive Office

Ms Sheree Schenk

General Manager – Development and Community

Mr Darren Starr

General Manager – Infrastructure and Environment

Mr Thomas Jones

Manager Governance and Administration

Ms Alyssa Denicola

Administration and Executive Support Officer/Minute Taker

Ms Stacie Shrubsole

Director, BRM Advisory

Mr Mark Booth

Managing Director, Powell & Co Pty Ltd

Mr David Powell

Chair, Norman Waterhouse Lawyers

Mr Sean Keenihan

Principal, Alinea Group

Mr Ben Koop

**1.2 Apology:**

Councillor Margherita Panella

## 2. BUSINESS ARISING

Nil

## 3. DECLARATION OF MEMBERS' INTERESTS

Nil

## 4. ADJOURNED BUSINESS

Nil

## 5. REPORTS FOR DECISION

Nil

## 6. REPORTS FOR INFORMATION

Nil

## 7. CONFIDENTIAL ITEMS

7.1 Crown Land, Two Wells – July 2022 Audit Committee Update

**Committee Resolution**

Moved Deputy Mayor Strudwicke Seconded Mr Fairlie-Jones 2022/ 038

**“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, General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Development and Community, Manager Governance and Administration, Administration and Executive Support Officer/Minute Taker, Mr Mark Booth of BRM Advisory, Mr Sean Keenihan of Norman Waterhouse Lawyers, Mr Ben Koop of Alinea Group and Mr David Powell of Powell & Co Pty Ltd be excluded from attendance at the meeting of the Audit Committee for Agenda Item 7.1 – *Crown Land, Two Wells – July 2022 Audit Committee Update*;
2. The Audit Committee is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, Item 7.1 – *Crown Land, Two Wells – July 2022 Audit Committee Update* concerns:
  - a. 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; and
  - b. legal advice, being a verbal briefing by Mr Sean Keenihan, Chair, Norman Waterhouse Lawyers in relation to the matter of Crown Land at Two Wells; and
3. The Audit Committee is satisfied that the principle that Audit Committee 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**

#### 7.1 Committee Resolution

Moved Deputy Mayor Strudwicke      Seconded Mayor Wasley      **2022/ 040**

**“that the Committee, having considered the matter of Item 7.1 – *Crown Land, Two Wells – July 2022 Audit Committee Update* in confidence under sections 90(2), 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, resolves that:**

- 1. The report, minutes, Attachment 1 and Attachment 2 pertaining to Item 7.1 – *Crown Land, Two Wells – July 2022 Audit Committee Update* 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 Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

**CARRIED**

#### 8. GENERAL BUSINESS

Nil

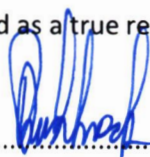
9. **NEXT MEETING**

Monday 8 August at 4.30pm.

10. **CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 6.38pm.

Confirmed as a true record.



Chairperson:.....

Date: 8 / 8 / 22