

MINUTES OF THE SPECIAL MEETING OF THE AUDIT COMMITTEE
OF THE CITY OF TEA TREE GULLY
HELD ON TUESDAY 14 JUNE 2022 AT 7.03PM
IN THE CIVIC CENTRE, 571 MONTAGUE ROAD, MODBURY

1. Opening and Welcome

The Presiding Member read the Acknowledgement of Country Statement.

2. Attendance Record:

2.1 Present – Physical Attendance

Crs P Field (*Presiding Member*) and R Unger, Mr D Edgecombe and Ms D Bear.

Present – Attendance via Electronic Means (audio-visual link)

Mr R Haslam.

2.2 Apologies

Nil

2.3 Record of Officers in in Physical Attendance onsite

Mr J Moyle	Chief Executive Officer
Mr R McMahon	Director Organisation Services & Excellence
Mrs C Neil	Director Community & Cultural Development
Mr T Harfield	Director Assets & Environment
Ms I Cooper	Manager Governance and Policy
Mrs D Taglierini	Governance Advisor
Mrs F Birch	Manager Recreation & Leisure Services
Ms C Oborn	Recreation Planning & Facility Coordinator
Mr J Robbins	Manager Finance & Rating Services
Mrs R Baines	Team Leader Financial Accounting
Mr G Salmon	Strategic Project & Stakeholder Manager
Mrs I Wilkshire	Manager City Strategy
Mrs V Masterman	Team Leader Planning Strategy
Mrs R Gagetti	Projects & Property Facilitator
Mr A Edityanto	Urban and Landscape Planner (Design)
Mr J Foong	Group Coordinator, Water Waste & Environment

Record of Officers in Attendance via Electronic Means (audio-visual link)

Mr R McMahon Director Organisation Services & Excellence

Record of Council's Advisors – BRM Advisory

Mr M Booth Director BRM Advisory

2.4 Record of Number of Persons in the Public Gallery – Physical Attendance

27 Attendees

2.5 Record of Media in Physical Attendance

Nil

3. Confirmation of Minutes to the Previous Meeting – N/A

4. Public Forum - Nil

5. Deputations - Nil

6. Presentations

6.1 Community Wastewater Management System (CWMS) Final Prudential Report (D22/44341)

Mr Mark Booth, Director BRM Advisory, presented on the Community Wastewater Management System (CWMS) Final Prudential Report.

7. Petitions - Nil

8. Declaration of Conflicts of Interests – Nil

9. Adjourned Business - Nil

10. Motions Lying on the Table - Nil

11. Management Reports

Office of the Chief Executive Officer - Nil

Assets & Environment - Nil

Organisational Services & Excellence

11.1 Community Wastewater Management System (CWMS) Final Prudential Report (D22/42496)

Moved Mr Edgecombe, Seconded Ms Bear

That the Audit Committee recommends to Council:

That Council, having considered the Audit Committee report titled “Community Wastewater Management System (CWMS) Final Prudential Report” including its various attachments and dated 14 June 2022 resolves to:

1. Receive the Updated CWMS Prudential Report as detailed in Attachment 4 “Prudential Report - Sustainable Sewers Program Final Report June 2022” of the abovementioned report and acknowledges that it has been provided with sufficient information to satisfy the requirements of Section **48 of the Local Government Act 1999 and Council’s Prudential Management Policy.**
2. **Authorise Council’s Chief Executive Officer to continue with negotiations with SA Water to finalise and sign the “Asset Transfer Agreement” in accordance with Attachment 7 of the abovementioned report, noting that the Council acknowledges that in signing the Asset Transfer Agreement, included in Attachment 7, the Chief Executive Officer will extinguish the Transition Management Agreement between SA Water and Council dated 11 February 2022 included in Attachment 6 of this report.**
3. **Request Council’s Chief Executive Officer to write to the Premier of South Australia and to the Minister for Environment and Water to thank them their commitment to ensuring that Council’s CWMS system is transferred to SA Water from 1 July 2022.**
4. **Authorise Council’s Chief Executive Officer to extinguish and make redundant the Community Wastewater Management System (CWMS) easements from 1 July 2022 as the system is decommissioned.**

Carried Unanimously (94)

Community & Cultural Development - Nil

12. Notice(s) of Motions - Nil
13. Motions without Notice - Nil
14. Questions on Notice - Nil
15. Questions without Notice - Nil
16. Information Reports - Nil
17. Status Report on Council and Committee Resolutions - Nil
18. Other Business - Nil
19. Section 90(2) Local Government Act 1999 – Confidential Items

19.1. Harpers Field Community Building and Clubrooms Redevelopment Section 48 Prudential Report (D22/37830)

Recommendation for Moving into Camera

Moved Cr Unger, Seconded Mr Haslam

1. That pursuant to Section 90(2) of the Local Government Act 1999, the Audit Committee orders that the public (except staff on duty, Elected Members **and Council's Advisors**) be excluded from the meeting to enable discussion on the Harpers Field Community Building and Clubrooms Redevelopment Section 48 Prudential Report.
2. That the Audit Committee is satisfied that pursuant to section 90(3) (b)(i) and (b)(ii) of the Local Government Act 1999, the information be received, discussed or considered in relation to this item is:
 - 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

- information the disclosure of which would, on balance, be contrary to the public interest .
 - o on the basis that it would compromise a competitive tender process for the engagement of the building contractor.

- 3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in the 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances on the basis that it would compromise a competitive tender process for the engagement of the building contractor.

Carried Unanimously (95)

The following staff members on duty remained at the meeting for the following item:

Mr J Moyle, Mr R McMahon, Mr T Harfield, Mrs C Neil, Ms I Cooper, Mrs D Taglierini, Mr J Robbins, Mrs R Baines, Mrs F Birch, Ms C Oborn, Mr J Foong, Mr G Salmon, Mrs I Wilkshire, Mrs R Gagetti and Mrs V Masterman.

19.1 Harpers Field Community Building and Clubrooms Redevelopment
Section 48 Prudential Report (D22/37830)

Mr Mark Booth, Director BRM Advisory presented on the Prudential Report for Harpers Field Community Building and Clubrooms Redevelopment.

Moved Mr Edgecombe, Seconded Ms Bear

That the Audit Committee recommends to Council that it considers the following recommendation:

That having considered the report “Harpers Field Community Building and Clubrooms Redevelopment Section 48 Prudential Report” and dated 14 June 2022 that Council resolves:

1. The Prudential Report for the Harpers Field Community Building and Clubrooms (Prudential Report) prepared by BRM Advisory meets the criteria of Section 48 of the Local Government Act 1999.
2. To proceed with the Harpers Field Community Building and Clubrooms redevelopment project at a price consistent with the Prudential Report findings.

Carried Unanimously (96)

Retention of confidential documents:

Moved Mr Edgecombe, Seconded Cr Unger

1. **That having considered the agenda item titled “Harpers Field Community Building and Clubrooms Redevelopment Section 48 Prudential Report” and dated 14 June 2022 in confidence under section 90(2) & (3) (b)(i) and (b)(ii) and Section 91(7) of the Local Government Act 1999:**
 - 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
 - information the disclosure of which would, on balance, be contrary to the public interest

the Audit Committee pursuant to section 91(7) of the Act orders that the report and attachments relevant to this item be retained in confidence until 30 December 2022 and that this order be reviewed every 12 months at a minimum (if the confidentiality period is longer than 12 months in duration) or until the Audit Committee resolves otherwise, whichever occurs first.

2. That Audit Committee gives the power pursuant to Section 91 of the Local Government Act 1999 to the Chief Executive Officer to revoke the order made under Section 91(7) of the Local Government Act 1999 subject to the Chief Executive Officer consulting with the Mayor and reporting to the Elected Members of the revocation.

Carried Unanimously (97)

20. Date of Next Ordinary Meeting

27 July 2022

The Presiding Member declared the meeting closed at 8.12pm.

Confirmed.....
Presiding Member 27 July 2022