

**Confidential Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on 22 September 2020.**

**18. ITEMS IN CONFIDENCE**

**18.1 Minutes – Audit Committee Meeting – 9 September 2020 (Report No: 278/20)**

**Motion – Exclusion of the Public – Section 90(3)(d)**

**C220920/2058**

- 1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 278/20 Minutes - Audit Committee Meeting – 9 September 2020 in confidence.**
- 2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 278/20 Minutes – Audit Committee Meeting – 9 September 2020 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 prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would in balance be contrary to the public interest.**

**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.**
- 3. The Council 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 Councillor Lonie, Seconded Councillor Lindop

**Carried Unanimously**

The confidential minutes of the meeting of the Audit Committee held 9 September 2020 were presented to Council for information and endorsement.

**Motion****C220920/2059**

1. That Council notes the confidential minutes of the meeting Audit Committee of 9 September 2020 and advises Council that:
  - (a) it has received and considered an assessment of community loans receivables as at June 2020;
  - (b) the current impairment amount of \$517,780 be maintained for impairment of community loans receivable as at 30 June 2020 and;
  - (c) in accordance with Accounting Standards the impairment amount be reviewed and updated annually; and

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

2. That having considered Agenda Item 18.1 Minutes – Audit Committee Meeting – 9 September - Report No 278/20 in confidence under Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that the report and attachments, be retained in confidence for a period of six months and the Chief Executive Officer is authorised to release the documents when the Audited Financial Statements are presented to Council.

Moved Councillor Smedley, Seconded Councillor Snewin

**Carried Unanimously**

Councillor Bradshaw left the meeting at 8.45pm.

Councillor Bradshaw re-joined meeting at 8.49pm.

## **ITEM NUMBER: 18.1**

### **CONFIDENTIAL REPORT**

#### **MINUTES – AUDIT COMMITTEE MEETING – 9 SEPTEMBER 2020 (Report No: 278/20)**

*Pursuant to Section 90(2) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- d. **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; and would, on balance, be contrary to the public interest.**

**Recommendation – Exclusion of the Public – Section 90(3)(d) Order**

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 278/20 Minutes - Audit Committee Meeting – 9 September 2020 in confidence.
  
  2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 278/20 Minutes – Audit Committee Meeting – 9 September 2020 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 prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would in balance be contrary to the public interest.

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.
  
  3. The Council 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.
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Item No: **18.1**

Subject: **MINUTES - AUDIT COMMITTEE MEETING – 9 September 2020**

Date: 22 September 2020

Written By: Personal Assistant, Strategy and Business Services

General Manager: Strategy and Business Services, Ms P Jackson

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### **SUMMARY**

The confidential minutes of the meeting of the Audit Committee held 9 September 2020 are presented to Council for information and endorsement.

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### **RECOMMENDATION**

1. **That Council notes the confidential minutes of the meeting Audit Committee of 9 September 2020 and advises Council that:**
  - (a) **it has received and considered an assessment of community loans receivables as at June 2020;**
  - (b) **the current impairment amount of \$517,780 be maintained for impairment of community loans receivable as at 30 June 2020 and;**
  - (c) **in accordance with Accounting Standards the impairment amount be reviewed and updated annually.**

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

3. **That having considered Agenda Item 18.1 Minutes – Audit Committee Meeting – 9 September - Report No 278/20 in confidence under Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that the report and attachments, be retained in confidence for a period of six months and the Chief Executive Officer is authorised to release the documents when the Audited Financial Statements are presented to Council.**
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### **COMMUNITY PLAN**

A Place that Provides Value for Money

### **COUNCIL POLICY**

Not applicable

## **STATUTORY PROVISIONS**

*Local Government Act 1999, Sections 41 and 126*

## **BACKGROUND**

The Audit Committee is established under Section 41 of the *Local Government Act 1999*, and Section 126 of the *Local Government Act 1999* defines the functions of the Audit Committee to include:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the council;
- proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan;
- proposing, and reviewing, the exercise of powers under section 130 A;
- if the council has exempted a subsidiary from the requirement to have an audit committee, the functions that would, apart from the exemption, have been performed by the subsidiary's audit committee;
- liaising with the council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

## **REPORT**

Confidential minutes of the meeting of the Audit Committee held on 9 September are attached for Members' information.

## **BUDGET**

Not Applicable

# Attachment 1



**Confidential Minutes of the Audit Committee of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Rd, Brighton on Wednesday 9 September 2020.**

**9. CONFIDENTIAL ITEMS**

**9.1 Loan Receivables (Report No: 246/20)**

**Motion – Exclusion of the Public – Section 90(3)(d) Order**

- 1. That pursuant to Section 90(2) of the Local Government Act 1999 Audit Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Staff in attendance at the meeting in order to consider Report No: 246/20 Loan Receivables in confidence.**
- 2. That in accordance with Section 90(3) of the Local Government Act 1999 Audit Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 246/20 Loan Receivables 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 prejudice the commercial position of the person who supplied the information, as this would prejudice the commercial position who supplied the information.**

**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.**
- 3. The Audit 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 Councillor Snewin, Seconded Ms Davies

**Carried**

In order to complete the financial statements for the year ended 30 June 2020 an assessment is required of community loans that are owed to Council and whether there is any objective evidence that they will not be fully repaid. This assessment has been done and it was presented to the Audit Committee for review.



**Motion**

That the Audit Committee advises Council that:

1. it has received and considered an assessment of community loans receivable as at 30 June 2020;
2. the current impairment amount of \$517,780 be maintained for impairment of community loans receivable as at 30 June 2020; and
3. in accordance with Accounting Standards the impairment amount be reviewed and updated annually.

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

4. That having considered Agenda Item 9.1 Loan Receivables (Report No: 246/20) in confidence under Section 90(2) and (3)(d) of the Local Government Act 1999, the Audit Committee, pursuant to Section 91(7) of that Act orders that the report, be retained in confidence for a period of six months and the Chief Executive Officer is authorised to release the documents when the Audited Financial Statements are presented to Council.

Moved Councillor Snewin, Seconded Ms Davies

**Carried**

**CONFIRMED 7 October 2020**

**PRESIDEING MEMBER**