

**Minutes of the special meeting of the Audit and Risk Committee of the City of Holdfast Bay held in the Mawson Room, Civic Centre, 24 Jetty Road, Brighton on Wednesday 14 February 2024 at 6:00pm.**

**PRESENT**

**Members**

Presiding Member – Councillor J Smedley  
Councillor R Snewin  
Ms P Davies  
Ms C Garrett  
Mr D Powell

**Staff**

Chief Executive Officer – Mr R Bria  
Project Director – Mr F Primerano  
Manager Finance – Mr C Blunt  
Manager Strategy and Governance – Ms A Karzek  
Project Manager – Ms C Armfield

**Guest**

Mr M Booth, BRM Advisory

**1. OPENING**

The Chairman declared the meeting open at 6.00pm.

**2. KAURNA ACKNOWLEDGEMENT**

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

**3. APOLOGIES**

- 3.1 Apologies Received
- 3.2 Absent

**4. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**5. CONFIDENTIAL ITEMS****5.1 Jetty Road Glenelg Masterplan Stage 2 Prudential Report (Report No: 37/24)****Motion – Exclusion of the Public (section 90(3)(b & j) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Audit and Risk Committee 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: 37/24 Jetty Road Masterplan Stage 2 Prudential Report in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Audit and Risk Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 37/24 Jetty Road Masterplan Stage 2 Prudential Report on the following grounds:

b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda 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 business; proposing to conduct business; or would prejudice the commercial position of the Council.

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.

j. pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, and Department of Infrastructure and Transport (not being an employee of the Council, or a person engaged by the Council).

The information in the prudential report will reveal information related to current confidential work that is proposed to be undertaken by the State Government regarding alternative locations for the Tram. This initiative has not yet been approved by the State Government but forms part of the project's planning and risk profile. As there is significant work to do regarding this initiative it is

**currently only under consideration and not approved for public disclosure.**

**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 and Risk 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 P Davies, Seconded Councillor Snewin

**Carried**

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

**That having considered Agenda Item 5.1 37/24 Jetty Road Masterplan Stage 2 Prudential Report in confidence under section 90(2) and (3)(b & j) of the *Local Government Act 1999*, the Audit and Risk Committee, pursuant to section 91(7) of that Act orders that the report, attachments and minutes be retained in confidence for a period of 24 months and/or the Chief Executive Officer is authorised to release the documents when reports to Council on this matter are released and that this order be reviewed every 12 months.**

Moved D Powell, Seconded C Garrett

**Carried**

**6. DATE AND TIME OF NEXT MEETING**

The next meeting of the Audit and Risk Committee will be held on Wednesday 13 March 2024 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

**7. CLOSURE**

The Meeting closed at 6.54pm.

**CONFIRMED 13 March 2024**

**PRESIDING MEMBER**