



COMMITTEE AGENDA

Special Confidential Audit Committee

Notice is hereby given pursuant to the provisions of the Local Government Act, 1999, that the next Meeting of the Special Confidential Audit Committee will be held via electronic means using Zoom on

***Wednesday 10 November 2021
10.00am***

for the purpose of considering the items included on the Agenda.

Chief Executive Officer

MEMBERS

Presiding Member D Powell (Presiding Member)
Councillor M Rabbitt
Councillor M Broniecki
Independent Member N Handley
Independent Member A Martin

ACKNOWLEDGEMENT

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

ORDER OF BUSINESS

ITEM	PAGE NO
1. ADMINISTRATIVE MATTERS	
1.1 APOLOGIES	
Nil	
1.2 LEAVE OF ABSENCE	
Nil	
1.3 CONFLICT OF INTEREST	
<i>Members to advise if they have any material, actual or perceived conflict of interest in any Items in this Agenda and a Conflict of Interest Disclosure Form (attached) is to be submitted.</i>	
1.4 DEFERRED / ADJOURNED ITEMS	
Nil	
2. REPORTS	
Nil	
3. CORRESPONDENCE	
4. CONFIDENTIAL ITEMS	
4.1 Confidentiality Motion for Item 4.2 - Probity Report for the Waste Collection and Processing Tender	5
4.2 Probity Report for the Waste Collection and Processing Tender	6
4.3 Confidentiality Motion to remain in confidence for Item 4.2 - Probity Report for the Waste Collection and Processing Tender	16

NEXT MEETING

Tuesday 7 December 2021 - 6:30pm

Council Chambers, 181 Unley Road Unley

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION FOR ITEM 4.2 -
PROBITY REPORT FOR THE WASTE
COLLECTION AND PROCESSING TENDER

ITEM NUMBER: 4.1

DATE OF MEETING: 10 NOVEMBER 2021

AUTHOR: ALEX BROWN

JOB TITLE: MANAGER FINANCE AND PROCUREMENT

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on the grounds set out below.

1. **RECOMMENDATION**

That:

1. Pursuant to Section 90(2) and (3) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because it relates to:
2. In weighing up the factors related to disclosure:
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations; and
 - non-disclosure of this item at this time will enable Council to consider the tender assessment for the management of Councils' Waste Collection and Processing without compromising the commercial position of Council

On that basis, the public's interest is best served by not disclosing 4.2 Probity Report for the Waste Collection and Processing Tender, Report and discussion at this point in time.

3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public be excluded, with the exception of staff of the City of Unley on duty in attendance and PKF employees involved in the preparation of the Probity Report.

ITEM 4.2

Confidential – removed from the public agenda – pages 6 - 15

Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii) : commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) commercial advantage or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.

DECISION REPORT

REPORT TITLE: CONFIDENTIALITY MOTION TO REMAIN IN
CONFIDENCE FOR ITEM 4.2 - PROBITY
REPORT FOR THE WASTE COLLECTION
AND PROCESSING TENDER

ITEM NUMBER: 4.3

DATE OF MEETING: 10 NOVEMBER 2021

AUTHOR: ALEX BROWN

JOB TITLE: MANAGER FINANCE AND PROCUREMENT

1. **RECOMMENDATION**

That:

1. Pursuant to Section 91(7) of the *Local Government Act 1999* the following elements of Item 4.2 Probity Report for the Waste Collection and Processing Tender, considered at the Special Audit Committee Meeting on 10 November 2021:

- Minutes
- Report
- Attachment

remain confidential

until the execution of the Waste Management Contract for the collection and processing of waste.

and not available for public inspection until the cessation of that period.

2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, the power to revoke the order under Section 91(7) prior to any review or as a result of any review is delegated to the Chief Executive Officer.