

CONFIDENTIAL ITEMS 2003 – AUGUST 2024

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
195	6 February 2023	Appointment of Independent Members to the Adelaide Hills Region Waste Management Authority Audit and Risk Committee	1. <u>Pursuant to Section 90(3)(a)</u> Orders that all member of the public except the Chief Executive Officer; Deputy Chief Executive Officer; General Manager Infrastructure, General Manager Planning and Community, General Manager Corporate Services; Executive Manager to the Chief Executive Officer, Head of Wastewater, Strategic Property and Projects Manager, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential: Appointment of Independent Members to the AHRWMA Audit and Risk Committee. Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this report is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed interest in membership of the AHRWMA Audit and Risk Committee. Council is satisfied that the principle that the report be available in a place open to the public has been outweighed in the circumstance because the disclosure of details relating to personal information of people who expressed an interest in membership of the Committee including the role of Chairperson will be discussed. Section 91 (1) Order 3. Pursuant to Section 91(7) That having considered the report Appointment of three Independent Members to the AHRWMA Audit and Risk Committee in confidence under Sections	That the report and minutes be retained in confidence until the successful applicants and unsuccessful applicants have been advised of the AHRWMA Constituent Councils' decision.	Council is satisfied that the principle that the report be available in a place open to the public has been outweighed in the circumstance because the disclosure of details relating to personal information of people who expressed an interest in membership of the Committee including the role of Chairperson will be discussed.	That the report and minutes be retained in confidence until the successful applicants and unsuccessful applicants have been advised of the AHRWMA Constituent Councils' decision.	3 Oct 23	Within 12 months	<i>Report and Minutes released on website 26 August 2024</i>

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			90(2) and 90(3)(a) of the Local Government Act 1999, Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until the successful applicants and unsuccessful applicants have been advised of the AHRWMA Constituent Councils' decision.						

RELEASED

18. CONFIDENTIAL REPORTS

18.1 REPORT TITLE: CONFIDENTIAL: APPOINTMENT OF INDEPENDENT MEMBERS TO THE ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY AUDIT AND RISK COMMITTEE

DATE OF MEETING: 6 FEBRUARY 2023

FILE NUMBER: DOC/23/7050

ATTACHMENTS: 1. DOC/23/7053 CONFIDENTIAL MEMO TO COUNCILS CEO FROM AHRWMA 4 JANUARY 2023

Key Contact Alex Oulianoff, General Manager Corporate

Manager/Sponsor Deputy Chief Executive Officer/General Manager, Governance, Brian Clancey

Community Plan 2020-2035:

Implementing Partnerships

IP Strategy 3.3 Participate in regional governance planning and service sharing Arrangements

Annual Business Plan:

NA.

Purpose:

For Council to approve the three candidates (as recommended by the AHRWMA Board) for appointment to the AHRWMA Audit and Risk Committee and authorise the AHRWMA Acting CEO to notify the approved independent members of their appointment.

Summary – Key Issues:

1. The AHRMWA intends to have in place a new Audit and Risk Committee in the early part of 2023.
2. The AHRWMA has undertaken a selection process for the three vacant positions and provided recommended candidates.
3. Members of the Committee will be determined or approved by the Constituent Councils.
4. Constituent Councils are not obligated to recommend appointing all three nominees for the AHRWMA Audit and Risk Committee.

Recommendation:

That Council:

1. Pursuant to Section 90(3)(a)

Orders that all member of the public except the Chief Executive Officer; Deputy Chief Executive Officer; General Manager Infrastructure, General Manager Planning and Community, General Manager Corporate Services; Executive Manager to the Chief Executive Officer, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential: Appointment of Independent Members to the AHRWMA Audit and Risk Committee. Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this report is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed interest in membership of the AHRWMA Audit and Risk Committee.

Council is satisfied that the principle that the report be available in a place open to the public has been outweighed in the circumstance because the disclosure of details relating to personal information of people who expressed an interest in membership of the Committee including the role of Chairperson will be discussed.

2. That as per the Adelaide Hills Regional Waste Management Authority (AHRWMA) Board's recommendation to Constituent Councils contained in the confidential memo provided as an attachment to this report, approve the following appointments to the AHRWMA Audit and Risk Committee:

- **Rebecca Wilson** as an Independent Member to the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC Meeting for a term of 1.5 years.
- **Marina Wagner** as an Independent Member to the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC meeting for a term of 1.5 years.
- **Elizabeth Williams** as the independent Chairperson of the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC meeting for a term of 2 years.

Section 91 (1) Order

3. Pursuant to Section 91(7)

That having considered the report Appointment of three Independent Members to the AHRWMA Audit and Risk Committee in confidence under Sections 90(2) and 90(3)(a) of the Local Government Act 1999, Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until the successful applicants and unsuccessful applicants have been advised of the AHRWMA Constituent Councils' decision.

Background:

1. The Adelaide Hills Region Waste Management Authority (AHRWMA) is a regional subsidiary under Section 43 of the Local Government Act 1999 comprising Rural City of Murray Bridge, Adelaide Hills Council, Alexandrina Council and Mount Barker District Council.
2. At 3 August 2020 Council meeting Council endorsed the revised Adelaide Hills Region Waste Management Charter.
3. Key Amendments were discussed within the 3 August 2020 council meeting agenda item; further discussion regarding those amendments can be found within the AHRWMA Board report and the marked up revised Charter, both provided as attachments to the 3 August 2020 Mount Barker District Council agenda item, publicly available on Council's website.
4. In summary, the revised AHRWMA charter included several amendments addressing current legislative requirements and improving processes.
5. The AHRWMA Audit Committee composition was considered via the Charter review process. The revised Charter includes a requirement for an Audit Committee, with the composition to be determined by the Board (charter extract: *The Authority will establish an audit committee as required by Clause 30, Schedule 2 of the Act.*) This clause aligns with Audit Committee Clauses within other Regional Subsidiary Charters.

Discussion:

1. The AHRWMA intends to have in place a new Audit and Risk Committee in the early part of 2023 and has undertaken a selection process for the three vacant positions of independent members.
2. Constituent Councils are not obligated to appoint all three recommended candidates for the AHRWMA Audit and Risk Committee. It is the selection committee's view, however, that having all three would bring to the Audit and Risk Committee a diverse range of skills and experience that will be of significant benefit to AHRWMA.
3. The AHRWMA Board has recommended the appointment of the three persons as contained above in recommendation 2.
4. This report does not intend to replicate the information contained in the attachment to this agenda item.

Community Engagement:

Informing only	On Council's website once released from confidentiality.
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Policy:

As required by Clause 30, Schedule 2 of the The Local Government Act 1999. This clause aligns with Audit Committee Clauses within other Regional Subsidiary Charters.

Long Term Financial Plan:

NA

Budget:

NA

Statutory/Legal:

The AHRWMA Audit and Risk Committee is established in compliance with clause 30, schedule 2 of the Local Government Act 1999 and in accordance with regulation 17 of the Local Government (*Financial Management*) Regulations 2011.

Staff Resource Requirements:

NA

Environmental:

NA

Social:

NA

Risk Assessment:

NA

Asset Management:

NA

Conclusion:

Council is requested to consider the appointment of the three candidates recommended by the AHRWMA Board (out of session) for appointment as independent members to the AHRWMA Audit and Risk Committee, as per the recommendation of the AHRWMA Board Audit and Risk Committee Selection Panel.

Previous Decisions By/Information Reports to Council

Meeting Date	3 August 2020	HPRM Reference	DOC/20/73988
Title	Adelaide Hills Region Waste Management Authority Charter Review		
Purpose	To provide Council with a reviewed Adelaide Hills Region Waste Management Authority (AHRWMA) Charter for consideration and approval.		

18. CONFIDENTIAL REPORTS

18.1	REPORT TITLE:	CONFIDENTIAL: APPOINTMENT OF INDEPENDENT MEMBERS TO THE ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY AUDIT AND RISK COMMITTEE
	DATE OF MEETING:	6 FEBRUARY 2023
	FILE NUMBER:	DOC/23/7050
	ATTACHMENTS:	1. DOC/23/7053 CONFIDENTIAL MEMO TO COUNCIL'S CEO FROM AHRWMA 4 JANUARY 2023

Moved Councillor Hewett that Council:

1. Pursuant to Section 90(3)(a)

Orders that all member of the public except the Chief Executive Officer; Deputy Chief Executive Officer; General Manager Infrastructure, General Manager Planning and Community, General Manager Corporate Services; Executive Manager to the Chief Executive Officer, Head of Wastewater, Strategic Property and Projects Manager, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Confidential: Appointment of Independent Members to the AHRWMA Audit and Risk Committee. Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this report is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed interest in membership of the AHRWMA Audit and Risk Committee.

Council is satisfied that the principle that the report be available in a place open to the public has been outweighed in the circumstance because the disclosure of details relating to personal information of people who expressed an interest in membership of the Committee including the role of Chairperson will be discussed.

Seconded Councillor Westwood

CARRIED
OM20230206.19

Moved Councillor Westwood that Council:

2. That as per the Adelaide Hills Regional Waste Management Authority (AHRWMA) Board's recommendation to Constituent Councils contained in the confidential memo provided as an attachment to this report, approve the following appointments to the AHRWMA Audit and Risk Committee:
 - **Rebecca Wilson** as an Independent Member to the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC Meeting for a term of 1.5 years.

- **Marina Wagner** as an Independent Member to the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC meeting for a term of 1.5 years.
- **Elizabeth Williams** as the independent Chairperson of the AHRWMA Audit and Risk Committee commencing from the February 2023 ARC meeting for a term of 2 years.

Seconded Councillor Seager

CARRIED
OM20230206.20

Moved Councillor Westwood that Council:

Section 91 (1) Order

3. Pursuant to Section 91(7)

That having considered the report Appointment of three Independent Members to the AHRWMA Audit and Risk Committee in confidence under Sections 90(2) and 90(3)(a) of the Local Government Act 1999, Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until the successful applicants and unsuccessful applicants have been advised of the AHRWMA Constituent Councils' decision.

Seconded Councillor Szilassy

CARRIED
OM20230206.21

RELEASED