

ITEM NUMBER: 19.1

CONFIDENTIAL REPORT

CONFIDENTIAL MINUTES – AUDIT COMMITTEE – 30 JUNE 2021 (Report No: 220/21)

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:

- b. 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 would, on balance, be contrary to the public interest.**
- 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)(b & 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, Staff, Chair of the Alwyndor Management Committee and Ord Minnette, Senior Advisor, Investments and Portfolio Strategy in attendance at the meeting in order to consider Report No: 220/21 Minutes - Audit Committee – 30 June 2021 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: 220/21 Minutes – Audit Committee – 30 June 2021 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.
 - 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 confer a commercial advantage on a third party.

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: **19.1**

Subject: **MINUTES - AUDIT COMMITTEE – 30 JUNE 2021**

Date: 13 July 2021

Written By: Personal Assistant, Strategy and Corporate

General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

The confidential minutes of the meeting of the Audit Committee held 30 June 2021 are presented to Council for information and endorsement.

RECOMMENDATION

1. That Council notes the confidential minutes of the Audit Committee meeting on 30 June 2021 namely:
 - (a) That the Audit Committee advise Council that it recommends the Alwyndor Draft Investment Management Strategy 2021 be adopted by Council subject to the Investment strategy including:
 - (i) the annual review be provided to the Audit Committee for consideration and recommendation to Council;
 - (ii) the United Nation Principles for Responsible Investment into Section 4.2.2 Ethical Considerations;
 - (iii) the Audit Committee be included in the oversight of performance in Section 4.5 Oversight and Review of Performance; and
 - (iv) reporting to the Audit Committee and Council if the investment portfolio drops by 10% within a one (1) week period.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 18.1 Minutes – Audit Committee – 30 June 2021 - Report No 220/21 in confidence under Section 90(2) and (3)(b & 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 24 months and that this order be reviewed every 12 months.
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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 30 June 2021 are attached for Members' information.

BUDGET

Not Applicable

Attachment 1



Confidential Minutes of the audit Committee of the City of Holdfast Bay held via Electronic Means in a Virtual Meeting Room on Wednesday 30th June 2021.

8. ITEMS IN CONFIDENCE

8.1 Alwyndor Draft Investment Strategy 2021 (Report No: 210/21)

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

- 1. That pursuant to Section 90(2) of the *Local Government Act 1999* the Audit Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, Staff, Chair of the Alwyndor Management Committee and Ord Minnette, Senior Advisor, Investments and Portfolio Strategy in attendance at the meeting in order to consider Report No: 210/21 Alwyndor Draft Investment Strategy 2021 in confidence.**
- 2. That in accordance with Section 90(3) of the *Local Government Act 1999* the Audit Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 210/21 Alwyndor Draft Investment Strategy 2021 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 would prejudice the commercial position of the Council.**
 - 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 confer a commercial advantage on a third party.**

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 Mr Powell, Seconded Councillor Snewin

Carried

At its meeting held on 20 July 2020, the Audit Committee supported the recommendation of the Alwyndor Management Committee (AMC) to commence a

review of investment options for Alwyndor with the intention of developing an Investment Strategy in order for Alwyndor to stay competitive in the Aged Care industry.

The implementation of such a strategy will require an amendment to the City of Holdfast Bay Treasury Management Policy.

An investment consultant has been engaged to assist with the development of Alwyndor's Draft Investment Strategy 2021 which was attached to this report for consideration.

Motion

1. **That the Audit Committee advise Council it recommends the Alwyndor Draft Investment Strategy 2021 be adopted by Council subject to the Investment Management Strategy including:**
 - the annual review be provided to the Audit Committee for consideration and recommendation to Council;
 - the United Nation Principles for Responsible Investment into Section 4.2.2 Ethical Considerations;
 - the Audit Committee be included in the oversight of performance in Section 4.5 Oversight and Review of Performance; and
 - reporting to the Audit Committee and Council if the investment portfolio drops by 10% within a one (1) week period.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. **Having considered Agenda Item 8.1 Alwyndor Draft Investment Strategy (Report No: 210/21) in confidence under Section 90(2), 90(3)(b & d) and 90(3)(d) of the *Local Government Act 1999*, the Audit 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 that this order be reviewed every 12 months.**

Moved Mr Powell, Seconded Mr Tu

Carried

CONFIRMED 18 AUGUST 2021

PRESIDING MEMBER