TheBarossaCouncil

MINUTES OF THE MEETING OF AN AUDIT AND RISK COMMITTEE

held on Thursday 11 December 2025 commencing at 4.00pm
in the Ngadjuri Room (Council Chambers), 43-51 Tanunda Road,
Nuriootpa.

M I N U T E S

Mr Brass opened the meeting at 4:10pm

1. ATTENDANCE RECORD

1.1 Members Present

Peter Brass (via electronic means), Wendy Haydon, David Paprzycki (via electronic means) and Ian Swan (from 4:21pm, via electronic means)

Apologies

Christine Hahn

Not Present

Nil

Leave of Absence

Nil

2. CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

MOVED Ms Haydon

That the Minutes of the Audit and Risk Committee held on Monday 22 September 2025 at 4:00 PM, the Special Audit and Risk Committee meeting held on Thursday 20 November 2025 at 4:00 pm and the Special Audit and Risk Committee meeting held on Monday 1 December 2025 at 4:30pm, as circulated, be confirmed as true and correct records of the proceedings of those meetings.

SECONDED Mr Paprzycki **CARRIED AC 2022-26/56**

2.2 Matters arising from previous minutes

Nil

3. MATTERS FOR INFORMATION

3.1 Committee Action Register
3.2 Quarterly - Enterprise Resource Planning Project Progress Report - as at 19 November 2025
3.3 Risk Management Report - Quarter 1 - 2025-26

Mr Swan joined the meeting at 4:21pm

4. DEBATE REPORT

4.1 <u>REVIEW OF THE 2025-26 TO 2034-35 LONG TERM FINANCIAL PLAN</u>
25/96678

MOVED Ms Haydon

That Audit and Risk Committee having reviewed the revised Long Term Financial Plan and all assumptions and variations support the update and its recasting of the Long Term Financial Plan and that it continues to indicate a financially sustainable position of Council with adherence to the principles outlined in the plan and its assumptions, noting the operating position is in surplus over the period but will run three more deficit budgets.

SECONDED Mr Swan **CARRIED AC 2022-26/57**

PURPOSE

To review an update to the Long Term Financial Plan 2025-26 to 2034-35, effectively the current long term financial plan based on material changes arising from the factors outlined in this report.

REPORT

Background and Introduction
The Long Term Financial Plan is a legislative instrument that estimates future financial basis of Council. The last adopted update was undertaken as required in June this year. However due to fundamental and material changes outlined below an update has been undertaken.

Discussion
The following factors have driven the review of the Long Term Financial Plan:

- Significant and material changes due to annual financial statement outcomes.
- Impacts of changes to the accounting requirements for Barossa Park.
- Impacts due to inflation and revaluation of costs as par of the annual financial statement outcomes.
- Provide a clear basis for sustainable decision making going forward into the 2026-27 financial year budget and Council direction on future works, service levels and priorities.
- Provide preliminary view of Concordia financial modelling.
- Impact of greater growth in the Council expected for the foreseeable future (not including Concordia).

The reviewed and updated plan and explanations and analysis of changes are at Attachment 1.

High Level Analysis of Remodelling:

- The current key performance indicators are in the following table.
- Whilst this year will see Council operate outside of its operating surplus target by 0.1% this is minor and short term.
- Further pressure on the operating surplus will place that indicator at risk and this is a key indicator of long-term financial sustainability.
- The LTFP remains in surplus and annual surpluses are predicted for the last 6 years of the plan and grow over time.
- All other key indicators are met throughout each year and the overall life of the LTFP.
- There are key assumptions that will be need to be met to achieve these outcomes:
    - Growth of at least 1% is achieved in the LTFP period. The 2024-25 years saw growth of 2.43%.
    - No further unmodelled material impacts on depreciation as a result of revaluations and inflation.
    - CWMS service costs are starting to run at a deficit, Council will need to increase the charge to cover this.
    - General rate changes over the foreword estimates at 0.3% above current prediction and are completely linked to the growth forecast and cash needs.
- There are key assumptions that will be need to be met to achieve these outcomes (continued):
    - Inflation continues to be sticky the model increases the rate for next year to align to the September CPI trimmed mean outcome
    - Macro-economic impacts of inflation impact monetary policy of the RBA their interest charges have all been increased for 2025-26 by 0.25%.

- Insurance costs continue to increase but significantly more than inflation, the base has been increased for each year by 0.5% to 3.5%.
- Employee costs have been realigned to enterprise agreements and Council approved variations over the life of the plan it results in an increase of 0.16%.

Legend

Within or better than set key performance indictor
Within the indicator but is at risk in future years
Outside of set key performance indicator

	$'000 Adopted or Q1 Admended 2025-26 Plan	$'000 Revised 2025-26 Plan	Variation	Notes
Operating Result - (Deficit) / Surplus	(178)	(2,400)	(2,222)	Fundamentally related to impact of depreciation changes from revaluation, replacement cost and Barossa Park State Accounting Changes and $1.372M advance payment of Financial Assistance Grants, the budget will absorb an additional $845k in depreciation in 25 26 than originally modelled.
Operating Surplus Ratio 3 Year Average	-1.6%	-2.1%	-0.5%	Only marginally outside the indicator.
Net Financial Liabilities	88.6%	80.1%	8.5%	Has reduced due to BCIC larger expenditure now expected in 2026-27.
Asset Renewal Funding Ratio	136.4%	104.8%	-31.6%	Has reduced due to BCIC larger expenditure now expected in 2026-27.
Net Borrowings - Council	40,991	35,816	5,175	Has reduced due to BCIC larger expenditure now expected in 2026-27.
Net Borrowings - Community	2,330	1,905	425	
	Adopted LTFP to 2034-35	Revised LTFP to 2034-35		
Operating Result - (Deficit) / Surplus	12,972	2,897	(10,075)	Fundamentally related to impact of depreciation changes from revaluation, replacement cost and Barossa Park State Accounting Changes which results in an extra $4.732M in depreciation charges. See operating analysis for more detail.
Operating Surplus Ratio 3 Year Average	3.7%	3.0%	-0.7%	Related to increased depreciation and spending impacts
Net Financial Liabilities	13.5%	14.7%	-1.2%	Debt repayment extended a year due to changes overall
Asset Renewal Funding Ratio Average over 10 Years	115.7%	113.5%	-2.2%	
Net Borrowings - Council	4,920	6,019	(1,099)	Debt repayment extended a year due to changes overall
Net Borrowings - Community	149	149	0	
Last Year Council Debt Repaid	2035-36	2036-37	1	Debt repayment extended a year due to changes overall

Summary and Conclusion

The updated long term financial plan has been undertaken will be tabled with Council at its December meeting and is tabled for committee review.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Revised and Updated Long Term Financial Plan 2025-26 to 2034-35 With Variation Analysis

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Council

We strive to be a leader in regional Local Government and are committed to delivering effective, efficient, and valued services to the community.

Strategic Outcome

- We are financially sustainable and take a planned and long-term approach to investment.

Legislative Requirements
Section 123 of the Local Government Act 1999

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. **SERVICE DELIVERY**
   Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

   Is not being impacted by the plan, however it is clear any new spending should cease or only occur when offset with revenue increased our other expenditure reductions.

2. **SUSTAINABILITY & ENVIRONMENT**
   Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

   Is not being impacted by the plan, however it is clear any new spending should cease or only occur when offset with revenue increased our other expenditure reductions.

3. **FINANCIAL**
   Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

   Outlined in the body of the report and attachments in detail.

4. **PEOPLE**
   Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

   Is not being impacted by the plan, however it is clear any new spending should cease or only occur when offset with revenue increased our other expenditure reductions.

5. **REPUTATION**
   Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

   Not current being impacted as the plan demonstrates a sustainable position however prior operating margins have been reduced and any additional material changes could but the Councils financial sustainability at risk and therefore it reputation.

COMMUNITY ENGAGEMENT

This is an update the Long Term Financial Plan due to material changes, the adopted plan has been the subject of community consultation and as this feeds into the next years budget, 2026-27 that will be consulted upon. Therefore, there is no requirement or recommendation to consult on this update.

4.2 CREDIT CARD STATEMENT REVIEW

25/97028

MOVED Mr Paprzycki

That the Audit and Risk Committee, having reviewed the transactions, note the information.

SECONDED Mr Swan **CARRIED AC 2022-26/58**

PURPOSE

To review and note the credit card transactions that have been incurred by the Mayor and Chief Executive Officer (CEO) during the period 10 September 2025 to 4 December 2025.

REPORT

The Barossa Council's external auditors recommended that the credit card transactions of the Mayor and CEO be provided to the Audit and Risk Committee for review and noting.

Attachment 1 details the transactions that had been incurred and acquitted during the period 10 September 2025 and 4 December 2025.

Transactions that have been incurred but are yet to be coded and acquitted in the Council's credit card management system, FlexiPurchase, will be reported at the next Audit and Risk Committee.

Similar to other Council expenditure, credit card purchases are made in accordance with Council's Procurement Policy and within approved budgets. Transactions of the Mayor are reviewed and approved by the CEO, while transactions of the CEO are approved by the Deputy CEO and Director, Corporate Services, Strategy and Innovation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Credit Card Transactions 10 September 2025 to 4 December 2025

Supporting references
Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Provision of financial and budgetary accounting services, treasury and investment services, management reporting, reconciliation and taxation services, asset accounting, internal control, accounts payable and receivable services

Legislative Requirements
Nil.

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. **SERVICE DELIVERY**
   Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

   Ongoing monitoring and review of corporate credit card transactions ensures processes are adhered to, enabling the continued effective use of a credit card within business operations.

2. **SUSTAINABILITY & ENVIRONMENT**
   Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

   Nil.

3. **FINANCIAL**
   Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

   To demonstrate how the provision of a corporate credit card enables the activities and actions undertaken, in accordance with the adopted budget.

4. **PEOPLE**
   Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

   Nil.

5. **REPUTATION**
Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

To be transparent in disclosing the corporate credit card transactions of the Mayor and Chief Executive Officer.

COMMUNITY ENGAGEMENT

Expenditure incurred on corporate credit cards is in accordance with adopted budgets, which were subject to public consultation prior to being approved and adopted by Council.

4.3 2025-2026 QUARTER 1 BUDGET UPDATE - AS AT 30 SEPTEMBER 2025
25/97128

MOVED Ms Haydon

That the Audit and Risk Committee note the Q1 budget review for the 2025-26 budget as at 30 September 2025, which was reviewed and adopted by Council at its 18 November 2025 meeting, as presented at Attachment 1.

SECONDED Mr Paprzycki **CARRIED AC 2022-26/59**

PURPOSE

To provide the Audit and Risk Committee with the quarter 1 (Q1) budget update for 2025-26 (as at 30 September 2025) which was reviewed and adopted by Council at its 18 November 2025 meeting inclusive of budget adjustments and final carry-overs from the 2024-25 financial year.

REPORT

Background
On a quarterly basis the budgets of Council are reviewed in accordance with the *Local Government Act 1999* and associated regulations.

Budget managers undertake a review of all budget lines and make adjustments where budgets are trending over or under budget and where changes are required for capital programs or new or changed funding conditions.

In addition, the first review as at September each year brings into the budget changes associated with the finalisation of the financial statements and carried forward funding, final annual grant allocations, insurance costs and many other items that are initially estimated in the budget but become known in the first quarter of each financial year when annual accounts are received. The quarterly budget review process also captures prior decisions of Council involving funding changes so these are captured in the updated budget forecasts for the year.

All budget adjustments are approved by the relevant member of the Executive team, and then reviewed by the Chief Executive Officer and Manager Financial Services prior to being included in the report at Attachment 1 as a proposed budget variation.

Discussion
A detailed list of all approved Q1 budget adjustments and final carry overs from the 2024-25 financial year, and updated financial reports to reflect those adjustments, is included at Attachment 1.

Approved Q1 operating budget adjustments result in Council's consolidated operating deficit increasing by $1.449 million, from $178,000 to $1.627 million. This is due to a $976,000 reduction in income along with $473,000 in additional expenses. Refer to page 2 of Attachment 1 for the significant adjustments to the budget contributing to this. When adjusting for the impact of the advanced payment the underlying budget deficit is only $253,000 and well within normal operating surplus targets.

Approved Q1 capital budget adjustments result in a decrease of $12.176 million in budgeted capital expenditure along with a $2.845 million decrease in budgeted capital revenue, resulting in net capital budget adjustments of $9.331 million. Significant adjustments to the capital budget contributing to this are outlined on pages 2-3 of Attachment 1.

Summary and Conclusion
The Q1 budget update for 2025-26 as at 30 September 2025 has been completed and Council has approved proposed budget adjustments and final carry-overs from the 2024-25 financial year.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Q1 Budget Update 2025-26

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Legislative Requirements
Section 122 of the Local Government Act 1999
Section 123 of the Local Government Act 1999
Regulation 9 of the Local Government (Financial Management) Regulations 2011

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. **SERVICE DELIVERY**
Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Detailed quarterly reviews of the annual budget ensure that the budget and expenditure/revenue are aligned to meet approved levels of service.

2. SUSTAINABILITY & ENVIRONMENT

Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL

Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

Detailed quarterly reviews of the annual budget ensure that the budget and expenditure/revenue are aligned to meet approved levels of service.

4. PEOPLE

Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION

Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

Nil

COMMUNITY ENGAGEMENT

Community consultation was part of the original 2025-26 budget adoption process in June 2025.

4.4 FOUR YEAR AUDIT AND RISK COMMITTEE WORKPLAN
25/96657

MOVED Ms Haydon

That Audit and Risk Committee approve the Audit and Risk Committee target workplan spanning a four-year (rolling) period from 2026-2029 with the addition of the following:

- 6 Monthly Concordia updates or if material matters arise;
- ERP review to be added to 2026 as per 2027 onwards;
- Committee members annual financial accounts and audits review to be conducted in confidence with the external auditors as required by the Act.

SECONDED Mr Paprzycki **CARRIED AC 2022-26/60**

PURPOSE

To review and approve the Audit and Risk Committee target workplan.

REPORT

Background and Introduction
The Committee previously had a very basic workplan, this has now been updated and reviewed at the request of the newly formed committee.

Discussion
The revised workplace is a four year plan but will also be reviewed on a rolling basis to ensure new matters arising, topical matters and the like, along with members of the Committee's requests are accommodated within resourcing constraints.

The revised plan is at Attachment 1 for members to review, make comment and approve. Once approval has been provided the forecast matters will be scheduled internally including a preparatory meeting will be held at least 6 weeks prior to the schedule quarterly meeting with the CEO Chairing to ensure progress is being made on the required agenda matters.

Summary and Conclusion
The workplace has been revised and updated and is hereby tabled for approval.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Audit and Risk Committee Workplan

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Our Council

We strive to be a leader in regional Local Government and are committed to delivering effective, efficient, and valued services to the community.

Strategic Outcome

- We deliver a quality customer experience based on a willingness to innovate and drive change.
- We are financially sustainable and take a planned and long-term approach to investment.
- We have sound asset management services.
- We have strong relationships, and where appropriate, partner with our community, industries, stakeholders, the Local Government sector and Governments.
- We have a safe, healthy, and resilient workforce.

Corporate Plan

BS5 Enterprise Risk and Safety - The management of Council's Enterprise Risk profile including strategic and operational risk assessment, control and monitoring; internal control and audit; business continuity and disaster recovery planning; organisational emergency management; insurance portfolio management; and Work Health Safety system coordination

BS6 Finance - Provision of financial and budgetary accounting services, treasury and investment services, management reporting, reconciliation and taxation services, asset accounting, internal control, accounts payable and receivable services

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

BS13 Strategic/Legislative Planning and Reporting - Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting. Transparency and accountability regarding Council activity and expenditure provided

Legislative Requirements
Section 126 of the Local Government Act 1999

RISK MANAGEMENT CONSIDERATIONS

These statements are qualitative in nature and designed to provide an indication of Council's general position when deciding to take or retain risk in pursuit of its objectives.

1. **SERVICE DELIVERY**
   Refers to the delivery of services to the community, which includes the systems and physical assets that enable provision of these services, including structures (such as roads, buildings and facilities) as well as IT infrastructure, plant, vehicles & other equipment.

Nil

2. SUSTAINABILITY & ENVIRONMENT
Relates to measures to preserve, protect and minimise impact on the natural environment, including sacred and indigenous lands, flora, fauna, heritage, water, waste, hazardous materials and pollution.

Nil

3. FINANCIAL
Refers to planning and control of Council's budget to align with the sustainable achievement of the desired outcomes articulated in its Community Plan.

The workplan and committee contribute to the oversight and risk management of Councils financial outcomes and position.

4. PEOPLE
Relates to recruitment, retention, wellbeing and safety of employees and volunteers and engagement and management of contractors as well as the wellbeing and safety of the community.

Nil

5. REPUTATION
Relates to policy, decisions, actions and circumstances that may cause Council to lose credibility with the community, ratepayers, key stakeholders, other levels of government and its own employees and contractors.

The workplan and committee contribute to the oversight and risk management of Councils operations and strategic strengthening the reputation of independent oversight and transparency.

COMMUNITY ENGAGEMENT

Nil required or recommended.

5. CONFIDENTIAL AGENDA

5.1 <u>CYBER SECURITY REVIEW 2025</u>
25/96182

There is strong public interest in enabling members of the public to observe Audit and Risk Committee's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at an Audit and Risk Committee meeting is one means of satisfying this interest. The public will only be excluded from an Audit and Risk Committee meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that the report contains sensitive information relating to Council's cyber security systems and posture.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

MOVED Mr Swan

That Audit and Risk Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Services, Manager Information Services and Technology and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(e) of the *Local Government Act 1999:*

matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person;

(2) Accordingly, on this basis, Audit and Risk Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that the report contains sensitive information relating to Council's cyber security systems and posture.

SECONDED Ms Haydon **CARRIED CO AC 2022-26/61**

The meeting moved into confidence at 5:00pm

MOVED Ms Haydon

That Audit and Risk Committee:

(1) Confidential resolution.

(2) Having considered this matter in confidence under Sections 90(2) and 90(3)(e) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes and agenda report attachments other than the minutes relating to this confidentiality order of the Confidential Audit and Risk Committee Meeting held on 11 December 2025 in relation to item 5.1 Cyber Security Review 2025 be kept confidential and not available for public inspection until Annual

review by CEO and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Mr Paprzycki **CARRIED CO AC 2022-26/62**

The meeting moved out of confidence at 5:15pm

5.2 CONCORDIA LAND DEVELOPMENT - PRUDENTIAL MANAGEMENT REPORT - INITIAL REPORT AND SOCIAL INFRASTRUCTURE DEED
25/96982

There is strong public interest in enabling members of the public to observe Audit and Risk Committee's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at an Audit and Risk Committee meeting is one means of satisfying this interest. The public will only be excluded from an Audit and Risk Committee meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that contains information that is subject to a non-disclosure agreement and related to ongoing negotiations with third parties to enter into arrangements for the management of social infrastructure.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

MOVED Mr Swan

That Audit and Risk Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Manager Financial Services, Senior Strategy Advisor, and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(b) of the *Local Government Act 1999:*

information the disclosure of which-
(i) 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
(ii) would, on balance, be contrary to the public interest; and

Section 90(3)(g) of the *Local Government Act 1999:*

matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

(2) Accordingly, on this basis, Audit and Risk Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that contains information that is subject to a non-disclosure agreement and related to ongoing negotiations with third parties to enter into arrangements for the management of social infrastructure.

SECONDED Mr Paprzycki **CARRIED CO AC 2022-26/63**

The meeting moved into confidence at 5:15pm

MOVED Mr Paprzycki

That Audit and Risk Committee:

(1) Confidential resolution.

(2) Confidential resolution.

(3) Having considered this matter in confidence under Sections 90(2) and 90(3)(b) and (g) of the *Local Government Act 1999,* makes an order pursuant to Section 91(7), that the minutes, agenda report and attachments other than the minutes relating to this confidentiality order of the Confidential Audit and Risk Committee Meeting held on 11 December 2025 in relation to item 5.2 Concordia Land Development - Prudential Management Report - Initial Report and Social Infrastructure Deed be kept confidential and not available for public inspection and authorise the Chief Executive Officer to review and revoke the order.

SECONDED Mr Swan **CARRIED CO AC 2022-26/64**

The meeting moved out of confidence at 5:35pm

5.3 <u>CHIEF EXECUTIVE OFFICER UPDATE</u>
25/96883

There is strong public interest in enabling members of the public to observe Audit and Risk Committee's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at an Audit and Risk Committee meeting is one means of satisfying this interest. The public will only be excluded from an Audit and Risk Committee meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that Council and its committees and staff comply with non-disclosure arrangements in place with the State.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

MOVED Mr Paprzycki

That Audit and Risk Committee:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services, Strategy and Innovation, Director Development and Community Services, Director Infrastructure and Environmental Services and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(g) of the *Local Government Act 1999:*

matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and

Section 90(3)(i) of the *Local Government Act 1999:*

information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

(2) Accordingly, on this basis, Audit and Risk Committee is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that Council and its committees and staff comply with non-disclosure arrangements in place with the State.

SECONDED Ms Haydon **CARRIED CO AC 2022-26/65**

The meeting moved into confidence at 5:35pm
The meeting moved out of confidence at 5:42pm

There are no resolutions arising from this report it was a verbal briefing on the following topical matters:

a. Barossa Creative Industries Update - confidential.
b. End of Financial Year Improvement Plan.
c. TTEG vs Council Supreme Court Case Update - confidential.

6. URGENT OTHER BUSINESS

Nil

7. NEXT MEETING

Monday 9 February 2026 at 4:00pm

8. CLOSURE

Mr Brass declared the meeting closed at 5:44pm.

Confirmed at Audit and Risk Committee Meeting on 9 February 2026

Date:…………………………… Chairperson……………………………