



MINUTES

of

ORDINARY COUNCIL MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**MONDAY, 25 JANUARY 2021
AT 7:00PM**

The meeting commenced at 7:01 pm.

1 ATTENDANCE RECORD

1.1 Present

MAYOR GLENN DOCHERTY – Principal Member

Cr Akram Arifi	Cr Marilyn Baker	Cr Stephen Coppins (via Zoom)
Cr Andrew Craig (from 7.29 pm)	Cr Veronica Gossink	Cr Shirley Halls
Cr David Kerrison	Cr Clint Marsh	Cr Misty Norris
Cr Jane Onuzans	Cr Peter Rentoulis	Cr Dennis Ryan
Cr Gay Smallwood-Smith	Cr Katrina Stroet	Cr Cathy-Jo Tame

Also in attendance for the meeting:

Chief Executive Officer
General Manager, Strategy and Corporate
General Manager, City Assets
General Manager, City Services
Executive Strategic Advisor

Mr Sam Green
Mr Barry Porter
Mr Simon Blom
Ms Tina Hudson
Mr Greg Pattinson

Senior Manager, City and Corporate Planning
 Acting Senior Manager, Finance
 Manager Planning Services
 Acting Senior Manager, Major Projects
 Project Manager
 Transport Planner Specialist
 Governance Support
 Minute Taker

Mr Dale Welsh
 Ms Samantha Grieve
 Mr Matt Dineen
 Mr Rino Pace
 Mr Ben Woodrow
 Mr Jeremy Lim
 Ms Susie Reichstein
 Ms Joanne Cross

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION	4396
Moved: Cr Stroet	Seconded: Cr Onuzans
The Minutes of the Ordinary Council Meeting held 15 December 2020 be confirmed as a true and accurate record of proceedings.	
<u>CARRIED</u>	

3 DECLARATIONS OF INTEREST

Name: *Mayor Glenn Docherty*

Conflict: Perceived

Item: *15.3 – Digital Advertising Screen*

Description: *I am a member and Number 1 Ticket holder of Central District Football Club. While the screen is owned by the council there could be advertising opportunities for the Club, so not to be accused of any bias, I will declare a perceived conflict and leave the meeting.*

Conflict Nature: a. Indirect
 b. Personal / Pecuniary

Addressing the Conflict:

Did the Council Member remain in the meeting? No

Did the Council Member remain in the meeting in order to maintain quorum? No

If yes, how did the Council Member deal with the conflict?

N/A

Outline any further steps the Council Member took to ensure transparency and accountability:

N/A

Voting

Did the Council Member vote on the matter?	No
How did the Council Member vote on the matter?	N/A

4 MAYOR'S REPORT

The Mayor participated in the following activities:

- Meeting with various residents and community groups
- Give the Gift of Reading prerecording of message - Playford Civic Centre Library
- Pride of Workmanship Award presentation – Rotary Club of Playford
- Amazing Northern Multicultural Services End of Year Christmas Celebration & Maize BBQ
- Elected Members and Executive Team Christmas Lunch - Uleybury Winery
- Garden of Glory Church visit
- Andrew's Farm Community Church Christmas event
- Central District Football Club Annual General Meeting
- Meeting with Northern Christian Pastors
- Rotary Club of Elizabeth Christmas Trailer Raffle draw
- Lions Club of Elizabeth Raffle draw
- Playford Christmas Pageant Raffle draw
- CEO Review Committee meeting
- Civic Events Committee meeting
- Neighbourhood Watch meeting
- Informal tour – Grenville Centre
- Meeting with the Burundian Association
- Fremont Park Stage 3 – Community Engagement approach
- Rehearsal for Australia Day Event with Scouts
- Local Government Association Sector briefing on Tree Management (via ZOOM)
- John McVeity Centre, Community Wellbeing Hub, AFL Max event

Summary of Media Engagements**Mayoral / Council Interviews****TV, Radio and Print engagements**

- Messages for Christmas, The Bunyip, Tuesday, 15 December 2020
- Wellbeing Hub a first for Northern Adelaide, Monday, 11 January 2021
- Playford school set for \$2.6M upgrade, Tuesday, 19 2021
- Concept release on Fremont Park upgrade, Tuesday, 19 2021

Press releases/Council stories

- Playford's Wellbeing Hub
- Fremont Park eastern end concept design
- Playford's Australia Day Celebrations 2021

5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS

Nil

6 REPORTS BY COUNCILLORS**Cr Shirley Halls**

- Fremont Park Stage 3 Upgrade Community Engagement
- Elected Member Tour of the Grenville Hub

Cr Clint Marsh

- JMC members and Councillors meeting
- Administration and Munno Para Little Athletics Centre Committee meeting
- Grenville Centre Walk Through
- SSGT Car Display
- Virginia Grove Door Knock - CFS Recruitment Drive
- Fremont Park Community Engagement
- JMC AFL Max Event
- Stebonheath Park Run

Cr Misty Norris

- Women's Shed Christmas Party
- Grenville Centre Walk Through

Cr Jane Onuzans

- Elected Members and Executive Staff Christmas Lunch
- Catch up with the CEO
- Informal Tour at Grenville Hub
- Playford Wellbeing Hub Family Fun Event

Cr Peter Rentoulis

- Acknowledged the passing of resident William Drew

Cr Gay Smallwood-Smith

- Tour of Grenville Hub
- Australia Day Event tomorrow – Photoshoot

Cr Katrina Stroet

- Grenville Centre Walk Through
- Fremont Park Engagement with Local Residents

7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 QUESTIONS ON NOTICE**Cr Halls****History**

At the Ordinary Council Meeting held Tuesday 15 December 2020, Councillor Halls asked the below question which was taken on notice.

Question

The sign indicating Jubilee Park on the corner of Seaborough and Midway Road, has been missing for a long time. Is it on the list for replacement or has it dropped off the list?

Answer

Signage is treated the same as other council assets with replacement planned and incorporated into the Asset Management Plan.

In reference to Jubilee Park, the existing signs are in fair condition, the Playground is considered in good condition (Condition 2), and the park structures are in good condition having been renewed in 2015.

Based on the existing asset condition, and noting that we have a number of other sites across our city in which the signs are missing/in poor condition, with the priority of our sign renewal program being based on sites without signage (i.e. all signs are missing), or where we are undertaking other works on that reserve, it is unlikely that the replacement of the missing sign will occur within the four year delivery plan.

Cr Cathy-Jo Tame**History**

The below question was asked by Cr Tame at the Ordinary Council meeting held Tuesday 15 December 2020.

Question

Can I please get clarification on what development is happening on the reserve opposite Roseworthy Drive and Grain Court, Andrews Farm?

Answer

Council's Planning Team have not received, nor approved any development applications for the reserve opposite Roseworthy Drive and Grain Court, Andrews Farm. A site inspection confirmed that there was no development activity occurring on the reserve.

Cr Dennis Ryan**History**

At the Ordinary Council Meeting held 27 October 2020, Councillor Ryan asked Administration to provide an update regarding the parking situation on Jarvis Road, Elizabeth South, near the Central Districts Private Hospital.

A report was prepared for the Ordinary Council meeting held 15 December 2020 detailing that Council's Traffic Team undertook a site inspection on 17 November

2020. Some minor improvements to traffic controls were identified, with installation to occur early 2021.

At the Ordinary Council held 15 December 2020, where this report was received, Councillor Ryan enquired the below.

Question

In response to Item No. 9 of tonight's agenda – why was the Traffic Survey undertaken on November 17 when the State was in partial lockdown?

Answer

Council wishes to advise that the Traffic Survey conducted as part of the site inspection which occurred on 17 November 2020, was a day prior to South Australia's lockdown, which came into effect at 12:01am, 19 November 2020.

Cr Shirley Halls

History

The following Question on Notice has been submitted by Councillor Halls for inclusion in the Ordinary Council agenda.

Question

What are the projected dates for 'breaking of ground' and for 'project completion' of the Playford Ramada Hotel?

Answer

Mossop Group have been appointed as the design and construct company for the Playford Hotel. In December 2020, they established their site compound in preparation to commence site works. We anticipate construction to commence in quarter one of 2021. Construction is expected take approximately 18 months to complete.

Cr Shirley Halls

History

The following Question on Notice has been submitted by Councillor Halls for inclusion in the Ordinary Council agenda.

Question

Have staff considered using mobile CCTV cameras, to help mitigate the incidence of illegal dumping, graffiti, and hoon driving across the city?

Have Staff been able to access any Grants Funding through the Safer Communities Initiatives and if so, how much p.a.?

Answer

Over the past 4 years the Regulatory Services team have purchased and trialed 5 portable cameras with the view that they would assist in the identification of illegal dumpers. However, in addition to being time consuming to set up and monitor, so far our experience in the use of these devices has shown that the quality of cameras and

the technology used varies greatly, and can have a significant impact on their viability as an effective enforcement tool. (For example, the devices initially purchased had video quality and battery life expectancy concerns).

Additionally, at the Ordinary Council meeting in April 2020, Council resolved the following motion (Resolution 3965):

That staff bring back a report to Elected Members that looks at reducing illegal dumping and 'hoon driving' in the City of Playford through the use of portable surveillance cameras. Such a report is to list known 'hot spots' within the City of Playford and is to consider the findings of a six month trial period for the use of such technology at the City of Salisbury including the effectiveness of the program in terms of reducing illegal dumping and hoon driving, the cost associated with leasing such equipment, including co-leasing with Salisbury Council and anything else relevant for consideration

Due to the COVID19 pandemic impacts, the City of Salisbury delayed the implementation of their trial until the second half of 2020. Following a recent contact with the City of Salisbury, we understand that their trial has concluded with the results and findings currently being reviewed. A final report is planned to be presented to Salisbury Council shortly, and staff will be able to review and present a report to Council in line with above resolution, currently planned for April. This report will outline our own experiences using CCTV technology, a review of the findings of the trial conducted by the City of Salisbury, and recommendations for this type of initiative at the City of Playford including known issues and hotspots.

The Safer Communities Fund is a Federal Government initiative aimed at schools, community organisations and local Councils to help implement infrastructure such as CCTV, lighting, and fencing, that may reduce crime and anti-social behaviour driven by racial and/or religious intolerance. The City of Playford has not applied for grants via this initiative. However, a grant was received from a similar source in 2010 for the Fremont Park and Stebonheath Park CCTV. This grant, of approximately \$40,000, was awarded as a jointly delivered project with the Salisbury Council.

Cr Shirley Halls

History

The following Question on Notice has been submitted by Councillor Halls for inclusion in the Ordinary Council agenda.

Question

On the Council Website page providing Elected Members information. It has been noted that the area that designates which Internal/External Committees the Elected Members are on and dates of office are not present. Can this be rectified and will it also show up on the app?

Answer

The current Mayor and Councillors page on the website provides a link to External Boards and Representation. Staff will determine the best location on the website for inclusion of City of Playford Committee information.

The Mayor and Councillors page containing the link to External Boards and Representation can be accessed on the My Playford application.

Cr Shirley Halls**History**

The following Question on Notice has been submitted by Councillor Halls for inclusion in the Ordinary Council agenda.

Question

On 23 June 2020, a question was asked and answered regarding the circle of Trees for 37 Different nations at the Spruance & Midway Rd Elizabeth East on 19th April 1959. We were informed that administration had located the original plaques in storage “grove of Nations Playground developed for the children of Elizabeth by the Elizabeth Jaycees 1969. The proposal was to arrange for both these plaques to be displayed within the reserve area. Has this been done and where were they put?

If they have not been placed when will we be able to place them as I would like to suggest a small gathering “Event” of appropriate people within the current SA Health guidelines.

Answer

City Operations Support Services team will be recessing the plaques into large landscape stones to place on site. Due consideration would need to be given to the purpose of an event surrounding the re-installation of historic plaques.

The Playford Library Service Heritage Collection pays homage to the original tree planting and plaque unveiling. It may be more impactful to share this story of the Circle of trees as representing our diverse community, through our own communications channels and as part of the ‘This is Playford’ campaign. This is a way of connecting with our community and celebrating the people and places of Playford.

10 PETITIONS

Nil

11 DEPUTATION / REPRESENTATIONS

Nil

12 MOTIONS WITHOUT NOTICE**COUNCIL RESOLUTION****4397****Moved: Cr Halls****Seconded: Cr Rentoulis**

That the administration bring back a report that considers a number of different food providers for Elected Members meals prior to Council meetings (Ordinary and Committee), including provision from the Grenville Hub. Such a report is to consider different food options, including healthier choices, with a view to cutting down on costs where possible.

LOST

Cr Stroet left the meeting room at 7:17 pm.

Cr Stroet returned to the meeting room at 7:20 pm.

Cr Craig entered the meeting room at 7:29 pm

13 MOTIONS ON NOTICE

13.1 MOTION ON NOTICE - SINGLE USE PLASTICS

Contact Person: Tina Hudson

COUNCIL RESOLUTION

4398

Moved: Cr Halls **Seconded:** Cr Tame

A report be provided to Council on City of Playford Councils progress on phasing out of single use plastics in Council Business and Sponsored events by 2022 due to the State Government Policy of phasing out single use plastics in food and beverage packaging and replacing it with compostable/reusable alternatives. Will there be an increase in cost for these items, thereby increasing the cost to our residents when purchasing?

Cr Halls, with the consent of Cr Tame sought, and was granted leave of the meeting to vary the motion to read:

An Informal Gathering be provided to Council on waste management including but not limited to City of Playford Councils progress on phasing out of single use plastics in Council Business and Sponsored events by 2022 due to the State Government Policy of phasing out single use plastics in food and beverage packaging and replacing it with compostable/reusable alternatives. Will there be an increase in cost for these items, thereby increasing the cost to our residents when purchasing?

CARRIED

Cr Halls called for a **DIVISION**.

The motion was set aside.

A division was taken with:

- Crs D Kerrison, M Baker, D Ryan, V Gossink, S Halls, P Rentoulis, M Norris, G Smallwood-Smith, K Stroet, C Tame, S Coppins, J Onuzans and A Craig voting **FOR** the motion.
- Crs C Marsh and A Arifi and voting **AGAINST** the motion.

CARRIED

13.2 MOTION ON NOTICE - PROVISION OF MEALS

Contact Person: Tina Hudson

Cr Halls withdrew the motion on notice.

Cr Stroet left the meeting room at 7:35 pm.

Cr Stroet returned to the meeting room at 7:40 pm.

13.3 MOTION ON NOTICE - INTERSECTION OF FRISBY AND RIVERBANKS ROADS

Contact Person: Sam Green

COUNCIL RESOLUTION**4399****Moved: Cr Rentoulis****Seconded: Cr Marsh**

Council endorses that the Mayor writes to the Minister for Infrastructure and Transport, Hon Corey Wingard MP, expressing Council's significant concern with the current design for the upgrade of the Riverbanks Road, Angle Vale Road and Frisby Road intersections with a staggered intersection, especially the banning of right hand turn off Frisby Road and confirm that Council's preferred design is the construction of a 4 way intersection with the realignment of Frisby Road.

CARRIED**14 COMMITTEE REPORTS****Chief Executive Officer Review Committee**

Nil

Civic Events Committee

Nil

Corporate Governance Committee

Nil

Policy Review Committee

Nil

Services Committee

Nil

Strategic Planning Committee

Nil

15 STAFF REPORTS*Matters which cannot be delegated to a Committee or Staff.***15.1 ADOPTION OF PROPOSED STRATEGIC PLAN 2020-2024****Responsible Executive Manager : Barry Porter****COUNCIL RESOLUTION****4400****Moved: Cr Marsh****Seconded: Cr Baker**

Council adopts the proposed City of Playford Strategic Plan 2020-2024 (Attachment 1) and authorise the CEO to make further minor amendments that do not alter the intent of the Plan.

CARRIED

15.2 AMENDMENT TO DELEGATIONS UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

Responsible Executive Manager : Barry Porter

COUNCIL RESOLUTION**4401**

Moved: Cr Rentoulis

Seconded: Cr Baker

1. Revocations

1.1. Council hereby revokes its previous delegations to the Chief Executive Officer and Strategic Planning Committee of those powers and functions under the *Planning, Development and Infrastructure Act 2016*.

2. Delegations made under the *Local Government Act 1999*

2.1. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 25 January 2021 and entitled 'Proposed Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council; a Designated Authority; a Designated Entity (Instrument A)' and marked Attachment 1) are hereby delegated this 25 day of January 2021 to the person occupying the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

2.3. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 25 January 2021 and entitled 'Proposed Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* to the Strategic Planning Committee' and marked Attachment 3) are hereby delegated this 25 day of January 2021 to the Strategic Planning Committee subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions and Limitations in the proposed Instrument of Delegation.

3. Delegations made under *Planning, Development and Infrastructure Act 2016*

3.1. In exercise of the power contained in Section 100 of the *Planning Development and Infrastructure Act 2016* the powers and functions under the *Planning Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 25 January 2021 and entitled 'Proposed Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of a Council as a Relevant Authority (Instrument B)' and marked Attachment 2) are hereby delegated this 25 day of January 2021 to the person occupying the

office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

- 3.2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

CARRIED

Mayor Docherty left the meeting room at 7:47 pm to address his perceived conflict of interest.

Deputy Mayor, Cr Peter Rentoulis took the Chair.

15.3 DIGITAL ADVERTISING SCREEN

Responsible Executive Manager : Simon Blom

COUNCIL RESOLUTION

4402

Moved: Cr Ryan Seconded: Cr Marsh

That the digital screen is installed at Elizabeth Oval at a cost of \$70,500 to be utilised as a scoreboard. Installation would be funded by the \$56,000 of remaining capital originally allocated for the intended car park installation and a portion of the \$40,000 allocated in the 20/21 AMP for the replacement of the existing manual scoreboard.

Ongoing operating funding implications will be addressed as part of the 2021/22 Annual Business Plan or subsequent budget reviews.

CARRIED

Mayor Docherty returned to the meeting room at 8:04 pm

Cr Smallwood-Smith left the meeting room at 8:04 pm.

Cr Smallwood-Smith returned to the meeting room at 8:06 pm.

Cr Coppins left the meeting at 8:09 pm.

Cr Coppins returned to the meeting at 8:10 pm.

Matters for Information.

15.4 BUDGET UPDATE REPORT

Responsible Executive Manager : Barry Porter

COUNCIL RESOLUTION

4403

Moved: Cr Ryan Seconded: Cr Halls

That Council receives the Budget Update report for the Period ending 31 December 2020.

CARRIED

15.5 MID YEAR REVIEW - END OF YEAR FORECAST**Responsible Executive Manager : Barry Porter****COUNCIL RESOLUTION****4404****Moved: Cr Ryan****Seconded: Cr Arifi****Council receives the Mid-Year Review Report and 2020/21 Forecast Financial Statements (Attachment 1).****CARRIED****15.6 ICAC IMPLEMENTATION PROGRAM - JANUARY 2020****Responsible Executive Manager : Barry Porter****COUNCIL RESOLUTION****4405****Moved: Cr Rentoulis****Seconded: Cr Stroet****That the Council note and receive the ICAC Monthly Status Update (Attachment 1).****CARRIED****16 INFORMAL DISCUSSION**

Nil

17 CONFIDENTIAL MATTERS**17.1 CURTIS ROAD RECLASSIFICATION UPDATE**

Responsible Executive Manager : Barry Porter

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE**COUNCIL RESOLUTION****4406**

Moved: Cr Rentoulis

Seconded: Cr Smallwood-Smith

Pursuant to Section 90 (2) of the *Local Government Act 1999* an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Chief Executive Officer;
- General Manager Strategy and Corporate;
- General Manager City Services;
- General Manager City Assets;
- Executive Strategic Advisor;
- Senior Manager City and Corporate Planning;
- Acting Senior Manager Finance;
- Transport Planner Specialist;
- Governance Support;
- Minute Taker;

in order to consider in confidence agenda item 17.1 under *Section 90 (3) (b) of the Local Government Act 1999* on the basis that:

(b) 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.

This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because Council is in commercial negotiations with DIT.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.

CARRIED

The meeting moved into Confidence at 8:20 pm.

C. PROCEDURAL DECISION - TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

4408

Moved: Cr Rentoulis Seconded: Cr Smallwood-Smith

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to *Section 90 (3) (b) of the Local Government Act 1999*:

- Report for Item 17.1
- Attachment(s) for Item 17.1
- Minutes for Item 17.1

This order shall operate until negotiations between DIT and Council have concluded or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9) (a) of the *Local Government Act 1999*, whichever comes first.

CARRIED

The meeting reopened to the public at 8:30 pm.

17.2 VIRGINIA MAIN STREET SEWER

Responsible Executive Manager : Simon Blom

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

COUNCIL RESOLUTION

4409

Moved: Cr Rentoulis Seconded: Cr Smallwood-Smith

Pursuant to Section 90 (2) of the *Local Government Act 1999* an order is made that the public be excluded from attendance at the meeting, with the exception of:

- Chief Executive Officer;
- General Manager Strategy and Corporate;
- General Manager City Services;
- General Manager City Assets;
- Executive Strategic Advisor;
- Senior Manager City and Corporate Planning;
- Acting Senior Manager Finance;
- Acting Senior Manager Major Projects;
- Project Manager;
- Governance Support;
- Minute Taker;

in order to consider in confidence agenda item 17.2 under Section 90 (3) (d) of the *Local Government Act 1999* on the basis that:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
- i) 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
 - ii) would, on balance, be contrary to the public interest.

- Governance Support;
- Minute Taker;

in order to consider in confidence agenda item 17.3 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:

(b) 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.

This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because Council is currently in negotiations with the State Government regarding funding arrangements.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.

CARRIED

The meeting moved into Confidence at 8:37 pm.

C. PROCEDURAL DECISION - TO DECIDE HOW LONG ITEM 17.3 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

4414

Moved: Cr Baker

Seconded: Cr Stroet

Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.3 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:

- Report for Item 17.3
- Attachment(s) for Item 17.3
- Minutes for Item 17.3

This order shall operate until the signing of funding agreement for the construction of Park Road Drain – stage 1, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.

CARRIED

The meeting reopened to the public at 8:49 pm.

18 CLOSURE

The meeting closed at 8:49 pm.