



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

**TUESDAY, 22 FEBRUARY 2022
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 Andrew Craig	Cr Veronica Gossink
Cr David Kerrison	Cr Clint Marsh
Cr Jane Onuzans	Cr Peter Rentoulis <i>via zoom</i> <i>from 7:02pm</i>

Cr Gay Smallwood-Smith Cr Katrina Stroet

Cr Stephen Coppins *via zoom*
Cr Shirley Halls
Cr Misty Norris *via zoom*
Cr Dennis Ryan

Cr Cathy-Jo Tame

Also in attendance for the meeting:

Chief Executive Officer
General Manager City Assets
General Manager City Services
Acting General Manager Strategy and Corporate
Executive Strategic Advisor
Acting Senior Manager City & Corporate Planning
Senior Manager Financial Services
Senior Manager Development, Health, Environment &
Regulatory Services
Manager Governance
Minute Taker
Governance Officer
ICT Support Officer

Mr Sam Green
Mr Simon Blom
Ms Tina Hudson
Mr Dale Welsh
Mr Greg Pattinson
Mr Matt Dineen
Ms Natalie Caon
Mr Derek Langman
Ms Susie Reichstein
Mrs Skye Nitschke
Mr Owen Perry
Mr Nathaniel Walters

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES**COUNCIL RESOLUTION****4906****Moved:** Cr Onuzans**Seconded:** Cr Stroet

The Minutes of the Ordinary Council Meeting held 24 January 2022 be confirmed as a true and accurate record of proceedings.

CARRIED**3 DECLARATIONS OF INTEREST**

Cr Rentoulis joined the meeting at 7:02 pm.

Name: Cr Stephen Coppins

Conflict: Perceived

Item: 17.1 Lot 3 Mingari Street, Munno Para

Description: Due to my residential property being very close by I do stand to either gain or lose out of any decision

Conflict Nature: a. Indirect
b. Personal

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:

I will remove myself from the meeting

Voting

Did the Council Member vote on the matter? No

How did the Council Member vote on the matter? N/A

Item brought forward

16 INFORMAL DISCUSSION

16.1 PRESIDENT OF THE LEGISLATIVE COUNCIL

Presenter: The Hon John Dawkins MLC

Cr Craig called a point of order – a member of the gallery was filming the meeting.

The Mayor upheld the point of order and gave a reminder that filming is not permitted.

Outcome: Mr Dawkins MLC addressed the Council reflecting on his time and achievements throughout his political career and thanked Council and Staff for their support.

Mayor Docherty thanked Mr Dawkins MLC for his presentation and service to the Community over many years.

Cr Rentoulis left the meeting room at 7:18 pm.

Cr Rentoulis returned to the meeting room at 7:19 pm.

4 MAYOR'S REPORT

The Mayor participated in the following activities:

- Australia Day Awards – Live stream
- Citizenship Ceremony 1 – Australia Day
- Citizenship Ceremony 2 – Australia Day
- Citizenship Ceremony 3 – Australia Day
- Central District Football Club Sod Turning Event
- Site visit to Jo Gapper Reserve with Resident
- Corporate Governance Committee Meeting
- Civic Events Committee
- One Tree Hill Oval Photo with Minister Wingard and Paula Luethen MP
- Tony Piccolo MP Mark Oliphant College Carpark Media announcement
- Playford City Tennis Centre Open Day
- SANFLW Central's vs South Adelaide
- Strategy and Services Committee Meeting
- Hope Street visit at NSS
- Filming - Queen's Jubilee
- Meeting regarding Angle Vale Village
- Eliz Downs vs Brahma Lodge -Templin Cup
- SANFLW Central Vs Norwood
- Seamus Marron Memorial Game at Playford Patriots
- Elizabeth Vale Soccer Club Vs Demons soccer match
- Northern Wolves Community Fun Day Playford Alive
- Pinnacle College - Official opening of 'Stage Six of Library and Multipurpose Building
- NGAA Award submission - video interview
- Ordinary Council Meeting
- Harmony Cup Rugby Event at Eyre Sports Park
- Playford Patriots Women's soccer match – Patriots v Western Strikers
- Council Information Session Stretton Centre
- CEO Performance Review Committee
- WSL Soccer – Elizabeth Grove v's White City of Playford
- Meeting with residents - Angle Vale Village

Summary of Media Engagements**TV, Radio and Print engagements**

- 2 February 2022 - The Bunyip – 60 year old Vale still scoring goals
- 2 February 2022 - The Bunyip – Change rooms break new ground
- 2 February 2022 - The Bunyip – Playford RAT site opens
- 2 February 2022 - The National Tribute – \$44,000 available for community groups in Playford
- 9 February 2022 - The Bunyip – Libs match Labor promise for McGilp
- 9 February 2022 - The Bunyip – Labor makes \$2.5 million school carpark vow
- 16 February 2022 - The Bunyip – Virginia Main street to be revamped

Press releases/Council stories

- 25 January 2022 - \$1.8m boost for Central District change rooms
- 3 February 2022 - \$44,000 available for community groups in Playford
- 11 February 2022 - Virginia Main Street to be upgraded
- 18 February 2022 - Work to start soon on Stebonheath Road upgrade

5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS

Nil

6 REPORTS BY COUNCILLORS

Cr Rentoulis left the meeting room at 7:21 pm.

Cr Rentoulis returned to the meeting room at 7:21 pm.

Cr Shirley Halls

- Playford Patriots Seamus Marron Memorial Game

Cr Clint Marsh

- Meeting with Nick Champion MP
- Meeting with Playford Patriots
- Meeting with Greens Candidate for Spence, David Deex
- Playford Patriots Seamus Marron Memorial Game
- Stebonheath Park Run
- Playford Athletics Centre and Munno Para Little Athletics Centre Northern Community Round Shield
- Central Districts Rugby League Club Harmony Cup

Cr Misty Norris

- Seamus Marron Memorial Game at Playford Patriots
- One Tree Hill Markets
- Blake's Crossing Markets
- Argana Park Meeting with Lee Odenwalder MP

Cr Jane Onuzans

- Seamus Marron Memorial Game (Raising Awareness for Mental Health)
- Blake's Crossing Public Toilet Advocacy with The Bunyip

Cr Gay Smallwood-Smith

- Attended Playford Patriots Seamus Marron Memorial Day
- Attended the announcement by Member for Light, Tony Piccolo MP, of an election promise regarding a new car park for Mark Oliphant College
- Attended photo shoot at Blake's Crossing oval with Cr Onuzans, residents and The Bunyip Press regarding toilet facilities at the oval

7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)

Nil

8 QUESTIONS WITHOUT NOTICE**8.1 HUMBUG SCRUB ROAD SPEED LIMIT (Cr David Kerrison)**

Question: Council Resolution 4530 (27th April 2021) requested a review of the speed limit of Humbug Scrub Road, a response was received from Minister Wingard and a copy provided to Elected Members on the 8th November 2021.

The Minister asked DIT to undertake further investigations into the possibility of lowering the speed limit with the completion of investigations in coming months.

As three months have passed

- (a) Can Council confirm if there has been recent correspondence and the outcomes of the investigations?
- (b) If there hasn't been any correspondence can the Mayor and CEO follow the matter up with the Minister?

Answer: Mr Green advised that a response has not been received post 8th November and this will be followed up by the Mayor and CEO.

8.2 BLACK TOP & YORKTOWN ROAD INTERSECTION (Cr David Kerrison)

Question: At the 24th August 2021 Council Resolution 4728, resolved that the CEO write to the Department of Infrastructure and Transport (DIT) requesting an assessment and upgrade to the Blacktop Road and Yorktown Road Intersection.

The CEO sent a letter to DIT on the 6th September 2021 requesting the assessment and upgrade as per the Council Resolution.

- (a) Can Council confirm the response and details?
- (b) The results of independent reviews and assessments?
- (c) What the planned follow up actions are by the CEO?

Answer: Mr Green advised that he sent correspondence to the nominated DIT contact on 16th February 2022 seeking the outcome of the external Road Safety Review.

COUNCIL RESOLUTION**4907****Moved: Cr Kerrison****Seconded: Cr Smallwood-Smith****That the questions without notice from:**

- **Cr Kerrison**

and the accompanying responses be recorded in the minutes.**CARRIED**

9 QUESTIONS ON NOTICE**Cr Peter Rentoulis****History**

At the Ordinary Council meeting held on 24 January 2022, Cr Rentoulis requested the following information from Council Administration regarding the commencement of the Virginia Main Street project.

Question

- (a) When is the construction on the Virginia Main Street projects set to commence?
- (b) When will Council make this announcement public to the Virginia Community?
- (c) Will such an announcement also take the form of a mail out at the Virginia Post office?

Answer

Tender responses for the construction of the Virginia Main Street project are due to be received by 25 February 2022, after an extension was granted as requested by the tenderers. The proposals will then be assessed, awarded, and a construction schedule agreed. Until a construction schedule is agreed, there is no firm commencement date. An announcement of the commencement date will be made when the date is known.

Council will make this announcement public to the Virginia Community post the agreement with the successful constructor.

The construction commencement date will not be notified in the form of a mail out at the Virginia Post Office. However, a flyer detailing the project is being released and will be distributed in two different methods:

- 800 flyers will be placed in the PO Boxes at the Virginia Post Office
- We will also target the Virginia Grove community through a distribution company to ensure that the newer areas of the community (with mail delivery) also receive it.

This commenced on 1 February 2022.

Cr Peter Rentoulis**History**

At the Ordinary Council meeting held on 24 January 2022, Cr Rentoulis requested the following information from Council Administration regarding the construction of a roundabout at the intersection of Heaslip Road and Curtis Road.

Question

When is construction set to commence on the roundabout at the intersection of Heaslip Road and Curtis Road?

Answer

We do not yet have a definitive commencement date from the Department of Infrastructure and Transport (DIT). The Department has confirmed that it will commence no earlier than the commencement of the next financial year, with completion within the 22/23 Financial Year. To date, staff have only viewed the 30% design.

The roundabout is a deed intervention. It is a Department project on DIT roads with minor stormwater works then vested to Council.

It should be noted that in mid-February 2022, contractors will be commencing work on placing a culvert under Heaslip Road in this location as part of Stage 1 of Broadacres Drain to ensure that this is completed prior to the Department commencing its work.

This will not be the commencement of work on the roundabout.

Cr David Kerrison

Question

1. Can the administration please update the chamber if there has been a response received from Rhiannon Pearce - Labor Candidate for King confirming the timing of the funds and any relevant terms and conditions that may apply to the 1.5M funding promise to ward the 3M McGilp Recreation Park upgrade, if a Labor Government is duly elected. (In line with Council Resolution 4819).
2. Can the administration confirm if the details of the election promise made by Paula Luethen MP for King (McGilp Recreation Park upgrade) and that the details have been received in writing with any relevant terms and conditions along with the timing availability for the 1.5M towards the 3M upgrade.
3. Can the administration advise the next steps of Council and expected timelines in the McGilp Recreation Park upgrade delivery.

Answer

Council has received written confirmation from Paula Luethen MP, Member of King and Rhiannon Pearce, Labor candidate for King regarding each parties commitment for the redevelopment of McGilp Recreation Park.

Paula Luethen MP, Member for King

..... I am happy to announce that a re-elected Marshall Liberal Government will commit \$1.5 million of matched funding towards the redevelopment of McGilp Recreation Park.

Rhiannon Pearce, Labor candidate for King

If I am successfully elected as the new Member for King, the funds will be made available through the budget process which will be set out in the announcement of the 2022/23 State Budget.

The commitment from Labor is conditional on the Council matching the investment of \$1.5 million and the money expended must be used towards the completion of this project as set out in the Masterplan.

Cr David Kerrison

Question

Can the administration confirm the history of works on Vitana Court Craigmores, in addition to the update already provided giving details of any works if any that occurred around 2010 / 2011, as claimed by a Ward 3 resident.

Answer

Vitana Ct, Craigmores road seal was renewed in June 2009. The treatment applied was a residential standard treatment – 40mm AC10 C320 asphalt. This was installed on top of the existing spray sealed surface and was intended to act as a SAMI (strain alleviating membrane interlayer) seal.

Studies have shown that SAMI seals work most effectively when applied as an interlayer between two asphalt layers, not between a granular pavement material layer and asphalt layers (what was constructed in 2009).

The condition status of Vitana Ct deteriorated at an accelerated rate due to environmental movement from highly reactive soils, resulting in the required road seal renewal in mid-2021. Crack sealing works were undertaken in Aug 2016 to attempt to prolong the seal life and minimise the risk of pavement moisture infiltration.

The treatment used in the recent renewal (20/21) has utilised a SAMI seal and geosynthetic fabric layer between two asphalt layers. As mentioned before, SAMI

works most effectively when between two layers of asphalt. As such a bottom asphalt layer of 50mm AC14 C320 was installed, the SAMI seal and geosynthetic and a 40mm AC10 A15E wearing course.

These two road technologies are designed to reduce cracking and minimise the effects of ground movement on road seals.

Council expects these to significantly increase the seal life than was seen previously and will monitor the progress of seal condition throughout its life.

Cr David Kerrison

Question

Can Council confirm correspondence with the Department of Infrastructure and Transport (DIT) for the removal of a select number of flower beds on Blacktop Road, One Tree Hill as requested by the One Tree Hill Progress Association.

Answer

With multiple correspondences with DIT in regards to the proposed flower bed removal works, Council was advised that DIT did not support the removal of flower bed islands on Blacktop Road in 1999/2000 as the island were installed to try slow drivers down and removal of these may lead to increased driver speeds, as well as drivers overtaking slower vehicles/turning vehicles on the left side.

However, associated with the community's ongoing car parking demands and possible traffic behaviour changes since 1999/2000, Council Administration has requested for DIT to revisit and review the existing traffic conditions to make decision whether the existing protuberances are to be removed or not, e.g. review daily traffic volumes, existing traffic speed whilst noting that 50km/h speed limit sign already posted. DIT is currently investigating and will respond back to Council by next week.

10 PETITIONS

10.1 PETITION - BELLCHAMBERS ROAD, EDINBURGH NORTH

COUNCIL RESOLUTION

4908**Moved: Cr Baker****Seconded: Cr Halls****Council receive and note the petition.****CARRIED****Cr Smallwood-Smith called for a DIVISION.****The motion was set aside.****A division was taken with:**

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

CARRIED

11 DEPUTATION / REPRESENTATIONS

Nil

12 MOTIONS WITHOUT NOTICE

Nil

13 MOTIONS ON NOTICE**13.1 MOTION ON NOTICE - RISK BASED ASSESSMENT TOOL - TREES**

Contact Person: Sam Green

Cr Rentoulis left the meeting room at 7:33 pm.

Cr Rentoulis returned to the meeting room at 7:33 pm.

Cr Rentoulis left the meeting room at 7:39 pm.

Cr Rentoulis returned to the meeting room at 7:41 pm.

COUNCIL RESOLUTION**4909****Moved: Cr Kerrison****Seconded: Cr Onuzans**

- 1. In support of Council's Tree Canopy Strategy, recognition of the value of trees within our City, and also acknowledging the need to protect public and private infrastructure, Council's administration develop a risk based assessment tool that will provide consistent guidance on when trees are to be removed or retained within Council owned land.**
- 2. That an information session be held with Council regarding the draft assessment tool prior to finalisation.**

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

Nil

Civic Events Committee

Nil

Corporate Governance Committee

Nil

Policy Review Committee

Nil

Strategy and Services Committee

Matters which cannot be delegated to a Committee or Staff.

14.1 TREE CANOPY STRATEGY

Responsible Executive Manager: Tina Hudson

COUNCIL RESOLUTION**4910****Moved:** Cr Marsh**Seconded:** Cr Baker

- 1. Council endorses the Urban Tree Canopy Strategy (attachment 1) with an increase of canopy cover from 18% to 20%, acknowledging delivery of the strategies will be subject to funding requests as part of the Annual Business Plan process.**
- 2. A project to plant a total of 2000 local amenity trees over the 2022/23 and 2023/24 financial years be included in the Annual Business Planning process for the coming (22/23) financial year. Funding for the project, in the first instance, will be sought from appropriate grant funds.**

CARRIED**14.2 COMPOSTABLE BAGS PROVISION**

Responsible Executive Manager: Tina Hudson

Cr Rentoulis left the meeting room at 7:48 pm.

Cr Rentoulis returned to the meeting room at 7:49 pm.

Cr Rentoulis left the meeting room at 8:01 pm.

Cr Rentoulis returned to the meeting room at 8:01 pm.

COUNCIL RESOLUTION**Moved:** Cr Stroet**Seconded:** Cr Arifi

That the report be deferred to allow for a more comprehensive report to be provided within the next 3 months.

LOST**COUNCIL RESOLUTION****4911****Moved:** Cr Marsh**Seconded:** Cr Kerrison

Council add the following items to the schedule of Fees and Charges:

- 1. Ventilated kitchen caddy and roll of compostable bags \$8.00 incl GST**
- 2. Roll of compostable bags \$5.00 incl GST**

AMENDMENT**Moved:** Cr Stroet**Seconded:** Smallwood-Smith

Council add the following items to the schedule of Fees and Charges:

1. Ventilated kitchen caddy and roll of compostable bags \$8.00 incl GST
2. Roll of compostable bags \$5.00 incl GST

3. That a report be provided that details the previous use of the community kitchen caddy's scheme and future opportunities of the community kitchen caddy's scheme.

LOST

THE ORIGINAL MOTION WAS PUT AND CARRIED

Cr Kerrison called for a DIVISION.

The motion was set aside.

A division was taken with:

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

CARRIED

15 STAFF REPORTS

Matters which cannot be delegated to a Committee or Staff.

15.1 REPRESENTATIVES FOR 2022 LGA AND ALGA MEETINGS

Responsible Executive Manager: Dale Welsh

Local Government Association Ordinary General Meeting: Date: 7-8 April 2022

COUNCIL RESOLUTION

4912

Moved: Cr Smallwood-Smith **Seconded:** Cr Stroet

1. Council appoint the Mayor, Cr Onuzans and Cr Gossink as Council's attendees at the LGA Ordinary General Meeting to be held at the Adelaide Entertainment Centre on 7 and 8 April 2022.

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 6.16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.

2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.

CARRIED

Cr Kerrison nominated Cr Onuzans.

Cr Onuzans accepted the nomination.

Cr Rentoulis nominated Cr Smallwood-Smith.

Cr Smallwood-Smith declined the nomination.

Cr Kerrison nominated Cr Gossink.

Cr Gossink accepted the nomination.

Cr Stroet nominated Cr Norris.

Cr Norris declined the nominate.

Australian Local Government Association National General Assembly: Date: 19-22 June 2022

Cr Coppins left the meeting room at 8:12 pm.

Cr Coppins returned to the meeting room at 8:14 pm.

COUNCIL RESOLUTION**4913**

Moved: Cr Smallwood-Smith **Seconded:** Cr Onuzans

- 1. Council appoint the Mayor, Cr Stroet and Cr Norris as Council's attendees at the ALGA National General Assembly to be held in Canberra from 19-22 June 2022.**

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 6.16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.

- 2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.**

CARRIED

Cr Onuzans nominated Cr Stroet.

Cr Stroet accepted the nomination.

Cr Onuzans nominated Cr Halls.

Cr Halls accepted the nomination.

Cr Baker nominated Cr Norris.

Cr Norris accepted the nomination.

Cr Rentoulis nominated Cr Kerrison.

Cr Kerrison declined the nomination.

Cr Stroet nominated Cr Smallwood-Smith.

Cr Smallwood-Smith accepted the nomination.

As there were more nominations for the positions than required, the Council undertook the private ballot process.

Mr Green announced the results of the private ballot process as follows:

Cr Stroet 11 votes

Cr Norris 9 votes

Cr Halls 6 votes

Cr Smallwood-Smith 6 votes

Local Government Association Annual General Meeting: Date: 28 October 2022**COUNCIL RESOLUTION****4914**

Moved: Cr Smallwood-Smith **Seconded:** Cr Marsh

- 1. Council appoint the Mayor, Cr Halls and Cr Stroet as Council's attendees at the LGA Annual General Meeting to be held at the Adelaide Oval on 28 October 2022.**

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 6.16 be utilised to elect the Council attendees, with the results of the ballot becoming the outcome.

- 2. The Mayor is appointed as the Council Delegate for voting rights with an attending Council Member appointed by the Mayor as proxy Council Delegate in the event that the Mayor is unable to attend.**

CARRIED

Cr Onuzans nominated Cr Halls.

Cr Halls accepted the nomination.

Cr Marsh nominated Cr Norris.

Cr Norris declined the nomination.

Cr Kerrison nominated Cr Stroet.

Cr Stroet accepted the nomination.

Cr Marsh nominated Cr Tame.

Cr Tame declined the nomination.

15.2 APPOINTMENT TO CORPORATE GOVERNANCE COMMITTEE**Responsible Executive Manager:** Dale Welsh**COUNCIL RESOLUTION****4915****Moved:** Cr Baker**Seconded:** Cr Onuzans

Council reappoint Mr Martin White and Mr Mark Labaz as Independent Members on the Corporate Governance Committee for a term of two years commencing on 01 April 2022 and concluding on 31 March 2024.

CARRIED*Matters for Information.***15.3 BUDGET UPDATE REPORT****Responsible Executive Manager:** Dale Welsh**COUNCIL RESOLUTION****4916****Moved:** Cr Smallwood-Smith**Seconded:** Cr Stroet

Council note the Budget Update report for the Period ending 31 January 2022.

CARRIED**17 CONFIDENTIAL MATTERS****17.1 LOT 3 MINGARI STREET, MUNNO PARA****Responsible Executive Manager:** Simon Blom

Cr Coppins left the meeting to address his declared conflict of interest in the item at 8:17 pm.

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE

Cr Baker left the meeting room at 8:18 pm.

COUNCIL RESOLUTION**4917****Moved:** Cr Onuzans**Seconded:** Cr Stroet

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;
- Acting General Manager Strategy and Corporate;
- General Manager City Services;
- General Manager City Assets;
- Executive Strategic Advisor;
- Senior Manager Financial Services;
- Acting Senior Manager City and Corporate Planning;
- Manager Governance;
- Governance Officer;
- Minute Taker;
- ICT Support Officer

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 it contains information that is commercially sensitive to an ongoing commercial negotiation.

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 considers it necessary to consider this matter in confidence.

CARRIED

The meeting went into confidence at 8:18 pm.

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

COUNCIL RESOLUTION**4919****Moved: Cr Smallwood-Smith****Seconded: Cr Onuzans**

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 property settlement for Lot 3 has been finalised, 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 8:20 pm.

18 CLOSURE

The meeting closed at 8:21pm.