



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, 28 FEBRUARY 2023
AT 7:00PM**

The meeting commenced at 7:04 pm.

1 ATTENDANCE RECORD

1.1 Present

MAYOR GLENN DOCHERTY – PRINCIPAL MEMBER

Cr Akram Arifi *from 7:23 pm*

Cr Andrew Craig

Cr Clint Marsh

Cr Peter Rentoulis

Cr Katrina Stroet

Cr Marilyn Baker

Cr Chantelle Karlsen

Cr Misty Norris

Cr Gay Smallwood-Smith

Cr Rebecca Vandepeear

Cr Zahra Bayani

Cr David Kerrison

Cr Jane Onuzans

Cr Tanya Smiljanic

Also in attendance for the meeting:

Chief Executive Officer

General Manager City Services

General Manager Strategy and Corporate

Executive Strategic Advisor

Senior Manager Financial Services

Acting Senior Manager City & Corporate Planning

Senior Manager Development, Environment &

Community Safety

Senior Manager Libraries, Civic Venues & Stretton

Manager Sports & Property

Program Manager Repurposing Assets

Property Leasing Officer

Senior Manager Information, Technology & Governance

Manager Governance & Information Management

Mr Sam Green

Ms Tina Hudson

Mr Dale Welsh

Mr Greg Pattinson

Ms Natalie Caon

Ms Sam Grieve

Mr Derek Langman

Mr Tom Madigan

Mr Ryan Peremiczko

Mr Edi Bergamin

Ms Julie Wharton

Ms Elena Casciano

Ms Zoey Squires

Minute Taker
Governance Support
ICT Support Officer

Mrs Skye Nitschke
Ms Kiraly Gosnell
Mr Braden Hanberger

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

5302

Moved: Cr Onuzans

Seconded: Cr Smallwood-Smith

The Minutes of the Ordinary Council Meeting held 24 January 2023 be confirmed as a true and accurate record of proceedings.

CARRIED

3 DECLARATIONS OF INTEREST

General Conflict of Interest

Name: Cr Akram Arifi

Conflict: General

Item: 17.3 Health Precinct Strategy – Lot 144 John Rice Avenue

Description: Close contact with a proponent who has submitted an offer

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:

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 Geoff Brock MP Minister for Local Government
- Flag Raising Ceremony Rehearsal with Ridley District Scouts for the 2023 Australia Day Event
- Tony Piccolo MP – networking with other councils within the Light Electorate
- City of Playford 2023 Australia Day Breakfast Event
- City of Playford 2023 Australia Day Citizenship Ceremony
- SANFL Women's Trial Match CDFC vs West Torrens Development Team at X-Convenience Oval
- SANFL Women's Trial Match Women's League Side Trial CDFC vs Woodville West Torrens at X-Convenience Oval
- Multicultural Youth Street Outreach Event
- PFPC Career Expo - McDonald Park
- Visit to BJ Snack Shack for Donut Day
- Opening of the Benevolent Society Office at Elizabeth Vale
- Craigmare Community Market
- Fred's Van Elizabeth Helping assisting Lions Club of Elizabeth Playford Sunday 29 January 2023
- Community Debrief Playford Christmas Pageant
- Playford Christmas Pageant Committee Meeting
- Funeral of Grenville Hub volunteer Mrs Margaret Bradley
- City of Playford Mandatory Training Civic and Legal session at the Stretton Centre
- SANFL Trial Match Woman's League Side Central District v West Adelaide
- Gazelles Netball Club 50th Anniversary Gala
- Visit to Blakes Crossing Market
- City of Playford Corporate Governance Committee Meeting
- Meeting with the Elizabeth Downs Primary School Well-being Team
- Fred's Van Elizabeth assisting Lions Club of Elizabeth Playford Sunday 5 February 2023
- Meeting with various residents across the month of February
- Riverlea – Turn on the fountains at the Grand Entry Lakes
- Elizabeth Downs Primary School meeting with the Well-being Team
- African Communities Council of SA (ACCSA) Celebrating and Connecting Communities Toolkit Launch
- Meeting with School Principal Kerry Williamson – Mark Oliphant College
- Epilepsy Community Awareness
- NRLSA Event - Come and Try Rugby League hosted Central District Roosters Rugby League - Eyre Sports Park
- Playford International College Governing Council AGM
- Mark Oliphant College – AGM
- Mark Oliphant College Governing Council Meeting
- Principal Member Forum – Training hosted by the LGA Day 1 Friday 17 February 2023
- Principal Member Forum – Training hosting by the LGA Day 2 Saturday 18 February 2023
- Joes Connected Garden
- Harmony Cup Eyre Sports Park
- Angle Vale Family Fun Day fundraiser for Sam Scully
- Elizabeth Downs SC vs Para Hills East Templin Cup
- Elizabeth Downs Primary School Breakfast Club visit
- Visit to Quickest Warmth Project – Anglicare Playford
- Information Session at Stretton Centre
- Strategy and Services Committee – City of Playford
- Meeting with Matt Burnell MP

- The Advertiser Future SA Forum
- Meeting with Lang Walker Executive Chairman of Walker Corporation
- Central District Football Club – Sponsor and Past Player Breakfast
- National Growth Areas Alliance (NGAA) Strategic Advisory Committee Meeting
- Mandatory Training for Council Members held at the Stratton Centre
- Elizabeth Playford Lions 60th Charter Dinner
- Val Stevens Memorial Service at the Central District Football Club

Summary of Media Engagements

- 25/01/2023 - Mayor Council Wrap Up Filming

TV, Radio and Print engagements

- 25/01/2023 - Playford Council celebrates Australia Day at Elizabeth - The Bunyip, p.13
- 23/01/2023 - City of Playford first SA council to sign on to immunisation appinsidelocalgovernment.com.au
- 08/02/2023 - Healthy food that won't break the bank - The Bunyip, p.14
- 07/02/2023 - Third council caught in council conspiracies as member spreads protests information to church congregation - The Advertiser online
- 07/02/2023 - Playford Science Fair - Play & Go Adelaide
- 10/02/2023 - Sheedy Road safety matters - Channel 10 news bulletin
- 10/02/2023 - SA councillors, mayors stood down after failing to declare gifts blame technical difficulties - The Advertiser and Adelaide Now
- 12/02/2023 - Young family living great Aussie dream (not Playford generated but includes quotes from Mayor Docherty) - Sunday Mail, p.9
- 15/02/2023 - Another Playford election on the cards amid campaign donation saga - The Bunyip, p.3
- 22/02/2023 - What's on – Playford Science Fair – The Bunyip, p.22

5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS

Nil

6 REPORTS BY COUNCILLORS

Cr David Kerrison

- One Tree Hills Markets
- Craigmore Markets
- Blakeview Markets
- Uleybury Wines to discuss the creation of a wine region
- Tenafeate Creek Wines with Cr Marsh to discuss the creation of a wine region

Cr Clint Marsh

- Walker Corporation - Riverlea Entrance Opening with Deputy Mayor Peter Rentoulis
- NAWMA and Northern Adelaide Plains Food Cluster meeting
- Tenafeate Creek Wines meeting with Cr David Kerrison
- Uleybury Wines, Tenafeate Creek Wines and Stretton meeting with Cr David Kerrison
- Angle Vale Street Corner meetings with Deputy Mayor Peter Rentoulis
- Northern Community Residential Village - Grenville Hub Presentation
- Central Districts Football Club - Sponsors Breakfast with Cr Marilyn Baker

Cr Misty Norris

- One Tree Hill Country Markets
- Blakes Crossing Community Markets
- ALGWA Committee Meeting
- Angle Vale Family Day for Sam Scully
- Playford Community Christmas Pageant Meeting
- Eastern Park Football Club Pink Stumps Day
- Joes Connected Garden Open Garden Day
- Federal Member for Spence, Matt Burnell MP Street Corner Meeting, Smithfield
- City of Playford Training and Strategic Days
- Craigmores Cricket Club Jamie-Lee Ross Purple Round at Argana Park

Cr Jane Onuzans

- Drinks and Nibbles Evening hosted by Tony Piccolo MP
- Australia Day Breakfast
- Australia Day Citizenship Ceremony
- Mandatory Training Civics & Legal
- Rail Care Meeting regarding vacant land adjacent to Smithfield Railway Station and Graeber Rd
- Project Resilience 'Big Map' Community Event
- Street Corner Meeting - Matt Burnell MP
- Mandatory Training Leadership / Legal Pm Session

Cr Peter Rentoulis

- Northern Adelaide Plains Food Cluster meeting
- Angle Vale Cricket Club Committee
- Virginia Twilight Markets
- Attendance at Australia Day event and Citizenship Ceremony
- Meeting with Smithfield Plains residents to discuss Smithfield Plains Shopping Centre carpark
- Attendance Blake's Crossing Market
- Attendance at Virginia Residents Action Group meeting
- Attendance at the official opening of the fountains at Riverlea
- Attendance at the Angle Vale Family Fun day-fundraiser for Sam Scully
- Park meetings at Angle Vale with Cr Marsh
- Attendance at the Adelaide Dirt Kart Club at Speedway City, Waterloo Corner

Cr Gay Smallwood-Smith

- Attended Australia Day celebrations at X Convenience oval and escorted Australia Day ambassador, Vickram Madden, and his wife for the morning
- Citizenship ceremony on the afternoon of Australia Day
- Thebarton Theatre for fringe event as VIP guest of Weslo Security
- Presided over election of officers at AGM of Playford Xmas pageant
- Attended training at Stretton Centre
- Attendance at One Tree Hill Markets
- Member for Light Elected Member gathering

Cr Tanya Smiljanic

- Craigmores Markets - 29 Jan & 26 Feb
- Blakes Crossing Market - 05 Feb
- Various resident liaison - Bus routes, rates, Housing SA concerns
- Strategy & Services Committee Meeting - 14 Feb
- Info Session - 21 Feb
- Mandatory Council Training - 25 Feb

7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)

Nil

8 QUESTIONS WITHOUT NOTICE**8.1 BLAKE'S CROSSING TOILET & CHANGE ROOMS (Cr Jane Onuzans)**

Question: Is there a known installation date for the proposed automated toilet at Blake's Crossing playground?

Regarding the change rooms proposed as well for Blake's Crossing playground, can Council provide an annotated location plan (diagrams / markings) in the playground?

Answer: Mr Welsh took both questions on notice.

COUNCIL RESOLUTION**5303****Moved: Cr Onuzans****Seconded: Cr Marsh**

That the questions without notice from:

- **Cr Onuzans**

and the accompanying responses be recorded in the minutes.

CARRIED**9 QUESTIONS ON NOTICE****Cr Halls****Question**

I have concerns with the proposed placement and function of the Fremont Park Rotunda facing the dog park rather than the oval, can a plan of the proposal please be made available?

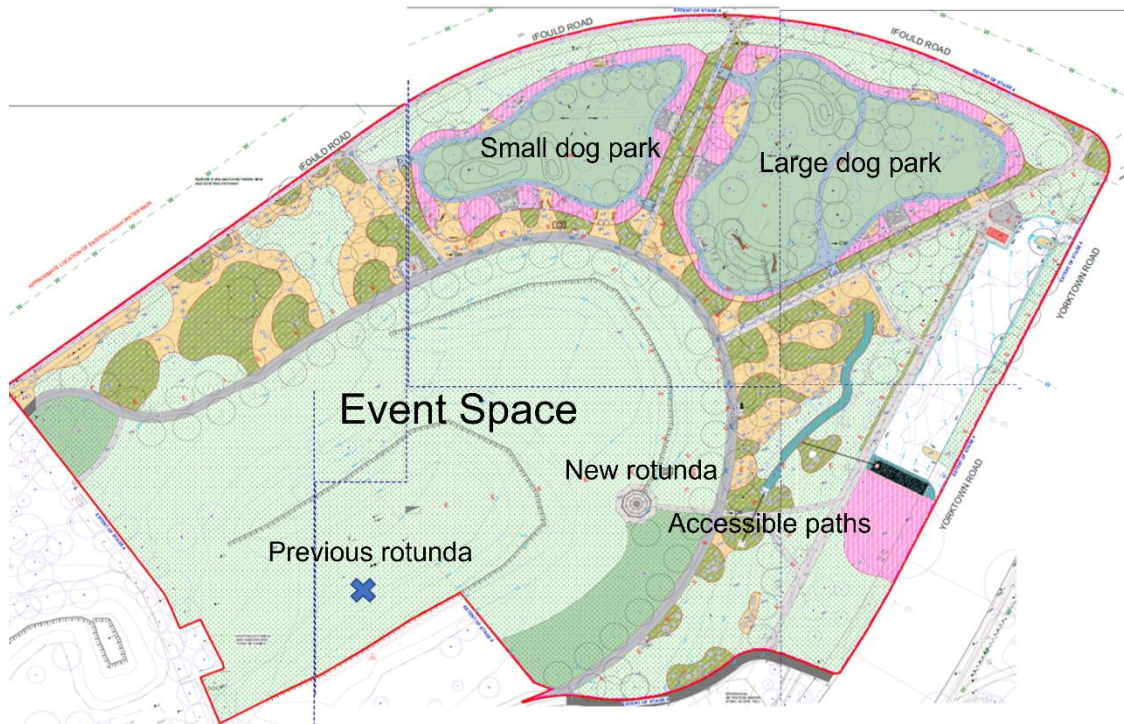
Answer

The Rotunda location was designed to facilitate all-abilities access via the footpath network in Fremont Park, including from the new car park on Yorktown Road.

The area behind the Rotunda is the turfed events space which will make a picturesque backdrop for community members using the rotunda for functions.

The dog parks are located north of the Rotunda, behind mounding specifically designed to obscure the view from the Rotunda.

An annotated plan of the Fremont Park Stage 3 works is provided below, as well as a photo of the newly installed Rotunda.

**Cr Vandeppear****Question**

How much of the \$14,378,000 Operating Budget for kerbside waste collection in 2022/23 is allocated for/spent on general waste headed to landfill?

Answer

The amount that is allocated for general waste is \$10,743,000.

Item brought forward

15 STAFF REPORTS

The Mayor sought and was granted leave of the meeting to bring forward item 15.1. Vacancy in the office of Member of Council for the Chief Executive Officer to fulfill his obligations under Section 54(6) of the Local Government Act, 1999.

Matters for Information

15.1 VACANCY IN THE OFFICE OF MEMBER OF COUNCIL

Responsible Executive Manager: Sam Green

COUNCIL RESOLUTION

5304

Moved: Cr Rentoulis

Seconded: Cr Onuzans

Council receive and note the Notification to Council Members Vacancy in the Office of Member of Council (Attachment 1) from the Chief Executive Officer.

CARRIED

10 PETITIONS

Nil

11 DEPUTATION / REPRESENTATIONS

11.1 STORM WATER, ROUNDABOUTS AND TRAFFIC ISLANDS - MR JAMIE CHIPPETT

Mr Chippett addressed the Chamber.

Cr Baker called a Point of Order | Section 30 of the Local Government (Procedures at Meetings) Regulations 2013 Interruption of meeting by others.

The Mayor upheld the Point of Order and reminded Mr Chippett to reference the Council as a collective rather than singling out individual Councillors.

Cr Rentoulis called a Point of Order | Section 30 of the Local Government (Procedures at Meetings) Regulations 2013 Interruption of meeting by others.

The Mayor upheld the Point of Order and reminded Mr Chippett to reference the Council as a collective rather than singling out individual Councillors.

11.2 SEX RESOURCES FOR CHILDREN IN OUR PUBLIC LIBRARIES - MS ANGELA ROJAS

7:23pm Cr Arifi joined the meeting

Ms Rojas addressed the Chamber.

12 MOTIONS WITHOUT NOTICE

Nil

13 MOTIONS ON NOTICE**13.1 MOTION ON NOTICE | STREAMING OF COUNCIL MEETINGS**

Contact Person: Sam Green

COUNCIL RESOLUTION**5305****Moved: Cr Kerrison****Seconded: Cr Rentoulis**

- 1. Streaming with a 15-minute delay and recording of Ordinary Council meetings, Special Council Meetings and Strategy and Services Committee meetings be implemented effective from the March 2023 meeting cycle of Council.**
- 2. Council recommends to the Council Assessment Panel (CAP) that Council's position on streaming with a delay be noted and CAP consider and determine future streaming requirements for CAP meetings.**
- 3. Recorded meetings be made available to the public on appropriate platform for a period of 12-months, with recordings to be retained in accordance with the *State Records Act 1997*.**
- 4. The CEO, in consultation with the Mayor and with the support of a resolution of the Council and/or the Strategy and Services Committee can determine not to stream and/or record a meeting in circumstances where it is not possible to do so, including but not limited to, situations where technology fails, or the Council Chamber is not available. Legislative requirements relating to access to meetings by the public will be adhered to. Where it is proposed not to stream and/or record a meeting consideration of this matter will be the first order of business on the agenda.**
- 5. The Code of Practice for Council and Committee Meetings be amended as required to reflect this resolution.**

The Mayor, with the consent of the mover and seconder, sought and was granted leave of the meeting to vary the motion to read:

- 1. Streaming with a 15-minute delay and recording of Ordinary Council meetings, Special Council Meetings and Strategy and Services Committee meetings be implemented effective from the March 2023 meeting cycle of Council.**
- 2. Council recommends to the Council Assessment Panel (CAP) that Council's position on streaming with a delay be noted and CAP consider and determine future streaming requirements for CAP meetings.**
- 3. Recorded meetings be made available to the public on appropriate platform for a period of 12-months, with recordings to be retained in accordance with the *State Records Act 1997*.**
- 4. The CEO, in consultation with the Mayor and with the support of a resolution of the Council and/or the Strategy and Services Committee can determine not to stream and/or record a meeting in circumstances where it is not possible to do so, including but not limited to, situations where technology fails, or the Council Chamber is not available. Legislative requirements relating to access to meetings by the public will be adhered to. Where it is proposed not to stream and/or record a meeting consideration of this matter will be the first order of business on the agenda.**
- 5. The Code of Practice for Council and Committee Meetings be amended as required to reflect the following:**
 - In the event that technology is not available to support the live streaming and/or recording of a meeting, the meeting will commence without technology. In the event that this occurs, the first item of business for the meeting will be to**

consider whether the meeting will continue in the absence of technology.

- In the event that technology fails during the course of the meeting then the meeting, as its next item of business, will consider whether the meeting will continue in the absence of technology.

CARRIED

Cr Kerrison called for a **DIVISION**.

The motion was set aside.

A division was taken with:

- Crs C Marsh, D Kerrison, M Baker, J Onuzans, A Arifi, R Vandepeear, C Karlsen, P Rentoulis, M Norris, G Smallwood-Smith, K Stroet, Z Bayani, T Smiljanic and A Craig voting **FOR** the motion.
- Nil voting **AGAINST** the motion.

CARRIED

14 COMMITTEE REPORTS

Chief Executive Officer Review Committee

Nil

Corporate Governance Committee

Nil

Policy Review Committee

Nil

Strategy and Services Committee

Matters for Information

14.1 AUTOMATED EXTERNAL DEFIBRILLATORS (AED'S)

Responsible Executive Manager: Sam Green

COUNCIL RESOLUTION

5306

Moved: Cr Smallwood-Smith Seconded: Cr Norris

The report entitled *Automated External Defibrillators (AED's)* be received and noted.

CARRIED

15 STAFF REPORTS*Matters which cannot be delegated to a Committee or Staff***15.2 REPRESENTATIVES FOR THE 2023 LGA AND ALGA MEETINGS****Responsible Executive Manager:** Dale Welsh**Local Government Association Ordinary General Meeting, 13 – 14 April 2023****COUNCIL RESOLUTION****5307****Moved:** Cr Marsh**Seconded:** Cr Craig

1. Council appoints the Mayor, Cr _____ and Cr _____ as Council's attendees at the LGA Ordinary General Meeting to be held at the Adelaide Convention Centre from 13 - 14 April 2023.

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 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 Marsh nominated Cr Smiljanic
Cr Rentoulis nominated Cr Karlsen
Cr Rentoulis nominated Cr Vandepeear
Cr Arifi nominated Cr Bayani
Cr Arifi nominated Cr Stroet*

*Cr Smiljanic respectfully declined the nomination
Cr Karlsen respectfully declined the nomination
Cr Vandepeear respectfully declined the nomination
Cr Bayani respectfully declined the nomination
Cr Stroet respectfully declined the nomination*

Australian Local Government Association National General Assembly, 13 - 15 June 2023**COUNCIL RESOLUTION****5308****Moved:** Cr Smallwood-Smith**Seconded:** Cr Marsh

1. Council appoints the Mayor, Cr Smallwood-Smith and Cr Norris as Council's attendees at the ALGA National General Assembly to be held in Canberra from 13 - 15 June 2023.

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 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 Smallwood-Smith
Cr Kerrison nominated Cr Norris*

*Cr Smallwood-Smith accepted the nomination
Cr Norris accepted the nomination*

Local Government Association Annual General Meeting, Tentative: 26 - 27 October 2023**COUNCIL RESOLUTION****5309****Moved: Cr Smallwood-Smith Seconded: Cr Onuzans**

1. Council appoints the Mayor, Cr _____ and Cr _____ as Council's attendees at the LGA Annual General Meeting tentatively scheduled for 26 - 27 October 2023.

If required, the private ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 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**15.3 APPOINTMENT TO CORPORATE GOVERNANCE COMMITTEE****Responsible Executive Manager: Dale Welsh****COUNCIL RESOLUTION****5310****Moved: Cr Vandeppear Seconded: Cr Baker****That the item be deferred to the Ordinary Council Meeting scheduled on 18th April 2023.****CARRIED****15.4 NORTHERN ADELAIDE WASTE MANAGEMENT AUTHORITY (NAWMA) - APPOINTMENT OF BOARD MEMBER****Responsible Executive Manager: Tina Hudson****COUNCIL RESOLUTION****5311****Moved: Cr Baker Seconded: Cr Vandeppear****That the item be deferred to the Ordinary Council Meeting scheduled on 18th April 2023.****CARRIED****16 INFORMAL DISCUSSION****Nil**

17 CONFIDENTIAL MATTERS**17.1 PROPOSED CLOSURE OF PORTION OF ROAD RESERVE - LOT 20 OLD PORT WAKEFIELD ROAD VIRGINIA**

Responsible Executive Manager: Sam Green

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.1**COUNCIL RESOLUTION****5312**

Moved: Cr Marsh

Seconded: Cr Baker

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;
- Executive Strategic Advisor;
- Senior Manager Financial Services;
- Senior Manager City and Corporate Planning;
- Manager Sport & Property;
- Senior Manager Development, Environment & Community Safety;
- Property Leasing Officer;
- Governance Support;
- ICT 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 report details information related to a proposed land transaction, including financial terms.

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 went into confidence at 8:02 pm.

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE**COUNCIL RESOLUTION****5314**

Moved: Cr Baker

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 the Council's reasons to deal with this item in confidence pursuant to Section 90(3)(b) of the *Local Government Act 1999*:

The meeting went into confidence at 8:16 pm.

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 17.2 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

5317

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 17.2 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 17.2
- Attachment(s) for Item 17.2
- Minutes for Item 17.2

Duration of Order:

The Chief Executive Officer is delegated the ability to communicate this resolution in whole, or in part, with key stakeholders associated with the project for the purposes of assisting on-going development of the Business Case.

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

CARRIED

The meeting re-opened to the public at 8:17 pm.

17.3 HEALTH PRECINCT STRATEGY - LOT 144 JOHN RICE AVENUE

Responsible Executive Manager: Sam Green

Cr Arifi declared a general conflict of interest and withdrew from the meeting to address his declared conflict.

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

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.3

COUNCIL RESOLUTION

5318

Moved: Cr Craig

Seconded: Cr Baker

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
- Executive Strategic Advisor
- Senior Manager Financial Services
- Senior Manager City and Corporate Planning
- Manager Sport and Property;
- Program Manager Repurposing Assets;
- Governance Support;
- ICT 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 detail is considered to prejudice the commercial position of Council should commercial detail and strategy be made public.

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 went into confidence at 8:18 pm.

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

COUNCIL RESOLUTION**5320****Moved: Cr Stroet****Seconded: Cr Onuzans**

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 *settlement of Allotment 144 John Rice Avenue in its entirety has occurred*, 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 re-opened to the public at 8:22 pm.

Cr Arifi returned to the meeting room at 8:23 pm.

17.4 UPGRADE OF MARK ROAD VERGE, ELIZABETH SOUTH
Responsible Executive Manager: Sam Green

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.4

COUNCIL RESOLUTION**5321****Moved: Cr Stroet****Seconded: Cr Arifi**

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;
- Executive Strategic Advisor;
- Senior Manager Financial Services;
- Acting Senior Manager City and Corporate Planning;
- Senior Manager, Development, Environment and Community Safety;
- Manager Sport & Property;
- Growth & Infrastructure Coordinator;
- Governance Support;
- ICT Support;
- Minute Taker;

in order to consider in confidence agenda item 17.4 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 is considered to prejudice the commercial position of Council in ongoing negotiations with third parties.

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 went into confidence at 8:24 pm.

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 17.4 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

5323

Moved: Cr Craig

Seconded: Cr Onuzans

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders that the following aspects of Item 17.4 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 17.4
- Attachment(s) for Item 17.4
- Minutes for Item 17.4

Duration of Order:

This order shall operate until further order 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 re-opened to the public at 8:25 pm.

17.5 DRAFT 2023/24 ANNUAL BUSINESS PLAN AND BUDGET - NEW PROJECTS AND SERVICES

Responsible Executive Manager: Dale Welsh

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.5**COUNCIL RESOLUTION****5324**

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;
- General Manager Strategy and Corporate;
- General Manager City Services;
- Executive Strategic Advisor;
- Senior Manager Financial Services;
- Acting Senior Manager City and Corporate Planning;
- Senior Manager Development, Environment and Community Safety;
- Senior Manager Information, Technology Governance;
- *Corporate Planner*;
- Governance Support;
- ICT Support;
- Minute Taker

in order to consider in confidence agenda item 17.5 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 provision of this information is contrary to the public interest as it relates to the potential investment of Council money in new services and projects over the coming financial year.

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 went into confidence at 8:26 pm.

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 17.5 IS TO BE KEPT IN CONFIDENCE**COUNCIL RESOLUTION****5326**

Moved: Cr Stroet

Seconded: Cr Baker

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders that the following aspects of Item 17.5 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 17.5
- Attachment(s) for Item 17.5
- Minutes for Item 17.5

This order shall operate until Council's adoption of the 2023/24 Annual Business Plan and Budget 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 re-opened to the public at 9:19 pm.

18 CLOSURE

The meeting closed at 9:19 pm.