



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 MARCH 2023
AT 7:00PM**

The meeting commenced at 7:02 pm.

1 ATTENDANCE RECORD

1.1 Present

MAYOR GLENN DOCHERTY – PRINCIPAL MEMBER

Cr Akram Arifi	Cr Marilyn Baker	Cr Zahra Bayani
Cr Andrew Craig	Cr Shirley Halls	Cr Chantelle Karlsen
Cr David Kerrison	Cr Clint Marsh	Cr Misty Norris
Cr Jane Onuzans	Cr Peter Rentoulis	Cr Gay Smallwood-Smith
Cr Tanya Smiljanic	Cr Katrina Stroet	Cr Rebecca Vandepeear

Also in attendance for the meeting:

Chief Executive Officer	Mr Sam Green
General Manager City Services	Ms Tina Hudson
General Manager Strategy & Corporate	Mr Dale Welsh
Executive Strategic Advisor	Mr Greg Pattinson
Acting Senior Manager City & Corporate Planning	Ms Sam Grieve
Senior Manager Community Engagement & Experience	Ms Lilly Bukva
Senior Manager Development, Environment & Community Safety	Mr Derek Langman
Senior Manager Financial Services	Ms Natalie Caon
Acting Senior Manager Financial Services	Ms Trisca Price
Senior Manager Libraries, Civic Venues & Stretton	Mr Tom Madigan
Senior Manager Information, Technology & Governance	Ms Elena Casciano
Manager, Governance & Information Management	Ms Zoey Squires

Manager Regulatory Services
Sport & Recreation Project Officer
Minute Taker
Governance Officer
ICT Service Delivery Co-ordinator
ICT Support Officer

Mr Darren Hurst
Mr Tyson Roling
Mrs Skye Nitschke
Ms Kiraly Gosnell
Mr Nathaniel Walter
Ms Ling Yin

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

5343

Moved: Cr Onuzans

Seconded: Cr Marsh

The Minutes of the Ordinary Council Meeting held 28 February 2023 be confirmed as a true and accurate record of proceedings.

CARRIED

3 DECLARATIONS OF INTEREST

Nil

4 MAYOR'S REPORT

The Mayor participated in the following activities:

- Riverbanks College Official Opening
- Playford Alive Forum - Hosted by Tony Piccolo MP at the Stretton Centre
- Precinct Open Day - Smithfield Plains
- Lions Club Clean Up Australia Day - Smith Creek Trail
- Elizabeth Rugby 7 Finals
- Sanctuary Rise Clean Up Australia Day Event Hillbank
- Blakes Crossing Market
- Angle Vale Lions Club Open Day
- Templin Cup Elizabeth Downs vs Unley United
- Elizabeth Netball Association AGM
- Meeting with the Mayors of Salisbury and Tea Tree Gully Council
- EPTEC Tour
- Meeting with ENA Representatives and Council staff
- Policy Review Committee Meeting
- Mandatory Training - Strategy and Finance
- Zion Disability Services International Women's Day Fundraising Dinner - Celebrating Women with Disability
- CDFC Community Engagement Strategies Meeting
- Riverbanks College AGM
- Meeting with Education Director for the Peachey Partnership School Sites
- Elizabeth Downs Primary School Flag Raising Ceremony and Information Session
- Visit to Elizabeth North Primary School - Easter Raffle Prize

- Riverbanks College B - 12 Sports Day
- Visit to Revival Brothers Cafe Riverlea
- St Patricks Day Lunch for St Patricks Tech College
- NLTC presents Catch Me If You Can at the Shedley Theatre
- Meet your Neighbour BBQ hosted by Andrews Farm Community Church
- Harmony Day at Northern Sound System
- Harmony Day Lunch Elizabeth Downs Primary School
- Playford International College Governing Council Meeting
- Mark Oliphant College Governing Council Meeting
- Lions Club of Angle Vale Inc. - Pizza & Chips Social Night
- Elizabeth Netball Association Seniors Presentations
- Coffee & Chat Catch Up with Principal – Trinity College Blakeview
- Children's University Australasia and Africa Partner Conference
- City of Playford Citizenship Ceremony
- State/Local Government Economic Partnership Forum
- Hopestreet SA Fundraiser Cheque Handover
- Elizabeth Netball Association Junior Presentations
- Punya Foundation fundraising / networking dinner
- Australian Refugee Association Community Program Update
- Meeting with MM Disability Care
- Meeting with the Icaspa performers
- Visit to Elizabeth North Primary School
- SANFLW Round 5 Central District vs Glenelg Match at X-Convenience Oval
- Elizabeth Park Girl Guides Car Boot Sale
- Angle Vale Scouts Community Market
- Craigmore Community Market
- 2023 Hostplus SANFL League - Season Launch
- Meeting with Lee Odenwalder MP

Summary of Media Engagements

03/03/2023 - Mayor Council Wrap Up Filming

TV, Radio and Print engagements

28/02/2023 - Dog attack at Munno Para Wetlands - Channel 7 News

15/03/2023 - A new beginning for endangered species - The Bunyip, pp 26

20/03/2023 - Pink lights in sky at Virginia - ABC 891 Radio Adelaide (statement provided)

24/03/2023 - Pink lights at Virginia - The Bunyip (statement provided)

5 REPORTS OF REPRESENTATIVES OF COUNCIL ON OTHER ORGANISATIONS

Nil

6 REPORTS BY COUNCILLORS

Cr Zahra Bayani

- Citizenship Ceremony
- Harmony Day event

Cr Shirley Halls

- Craigmore Market
- One Tree Hill Market
- Blakes Crossing Market
- Elizabeth Park Girl Guides Mini Market
- Craigmore Women's Cricket Grand Final, Eyre Sports Park
- Eastern Park Women's Cricket Grand Final, Eyre Sports Park

- Eastern Park Women's Cricket Presentation Night, Eastern Park Football Club
- Grenville Hub visit
- Northern Lights Theatre Company production of Catch me if you can
- Briefing on Council business for the period 10.02.23-09.03.2023 with Mayor & CEO
- Harmony Day event, Northern Sound System
- Northern Business Breakfast
- Resident meeting with Cr Marsh and Mr Norris
- Citizenship Ceremony
- Information Session held on 21st March
- Mandatory training – Strategy & Finance

Cr David Kerrison

- Craigmore Market
- One Tree Hill Market

Cr Clint Marsh

- Stebonheath Park Run – Run Director
- Policy Review Committee meeting
- Angle Vale Scouts Community Market – Listening Post

Cr Misty Norris

- Craigmore Community Market
- Blakes Crossing Market
- Elizabeth Downs SC vs Adelaide Cobras FC Australia Cup match
- Elizabeth Downs SC vs Croydon Cougars Templin Cup semi final
- Elizabeth Netball Association Seniors semi finals
- Elected Member Teneefeate Wines lunch
- Central Districts Football Club Night of Wine

Cr Jane Onuzans

- Citizenship Ceremony

Cr Peter Rentoulis

- Community meeting with Cr Marsh at Miravale
- Attendance at Virginia Residents Action Group
- Attendance at Women's Shed 3rd Birthday with Cr Baker
- Attendance with Cr Marsh and Car Baker at Adelaide Dirt Kart Club at Speedway City, Waterloo Corner
- Attendance One Tree Hill Community market

Cr Gay Smallwood-Smith

- Harmony Day Event, Northern Sound System
- Citizenship Ceremony
- Girl Guide market
- Northern Business Breakfast
- Strategy & Services Committee meeting
- CEO Review Committee meeting
- Launch of shade sails at Nolan Reserve, Munno Para
- Northern Lights Theatre Company production of Catch me if you can

Cr Tanya Smiljanic

- Strategy & Services Committee meeting
- Harmony Day event, Northern Sound System
- Information Session held on 21st March 2023

7 REPORTS OF REPRESENTATIVES (CONFERENCES & TRAINING PROGRAMS)

Nil

8 QUESTIONS WITHOUT NOTICE**8.1 SUPPORT TO COMMUNITY & SPORTING GROUPS (Cr Shirley Halls)**

Question: Can staff schedule a future Information Session to discuss the support that Council provides local sporting clubs via our lease and licence framework and a summary of the agreements Council has in place to manage our commercial sporting facilities such as the Aquadome and Tennis Centre.

Answer: Mr Welsh advised that staff can consider this work and will enter it into the forward work plan.

8.2 EASTERN PARK FOOTBALL CLUB (Cr Shirley Halls)

Question: Can staff consider localised flooding issues when they develop the concept plan for the upgrade of the change rooms and improved car parking at Dwight Reserve. Can staff also consider any localised flooding issues when they provide feedback to the State Government's on its plans to upgrade the intersection of Adams and Yorktown Roads which is currently in the planning phase.

Answer: Ms Grieve advised that the feedback can be incorporate into the planning work and involve the Transport and Stormwater Planner in looking at this.

8.3 TOURIST ATTRACTIONS (Cr Shirley Halls)

Question: Can staff outline whether the forward workplan includes an Information Session related to tourist attractions across the city and how Council supports these?

Answer: Mr Green advised that there is not currently anything on the forward work plan to talk about this topic.

Question: Is there any way we can put it in?

Answer: Mr Green advised that it would be best to seek the view of the Council if they wish to spend time on this as it is not directly aligned to the Strategic Plan and encouraged Cr Halls to consider moving a motion in the future.

COUNCIL RESOLUTION**5344****Moved: Cr Halls****Seconded: Cr Rentoulis****That the questions without notice from:**

- Cr Halls

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

9 QUESTIONS ON NOTICE**Cr Jane Onuzans****History**

At the Ordinary Council meeting held on 28th February 2023, Cr Onuzans asked the following questions in relation to the Blakes Crossing toilet and change rooms in which Mr Welsh took on notice.

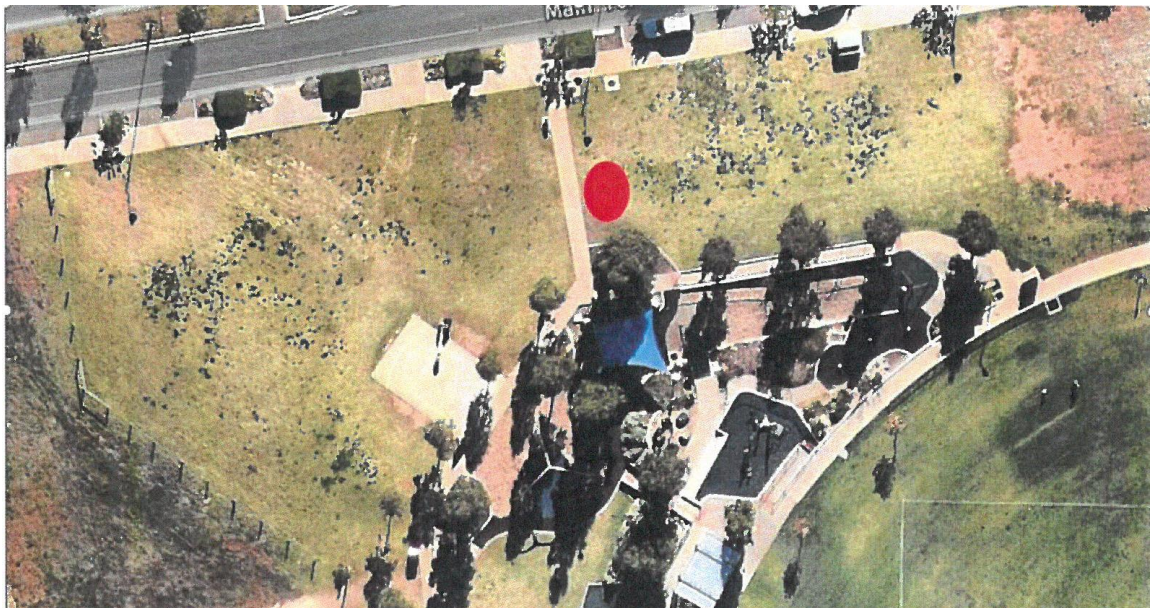
Question

Is there a known installation date for the proposed automated toilet at Blakes Crossing playground?

Answer

The forecast installation date for the automated toilet at Blakes Crossing Reserve is July 2023.

The location of the toilet is shown below (red dot).

**Cr Jane Onuzans****Question**

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

Answer**Blakes Crossing Change rooms**

The aim of the new change rooms is to facilitate improved community utilisation of Blakes Crossing Reserve which is currently underutilised due to a lack of appropriate facilities.

The proposed project identifies the need for a small change room which will primarily cater for overflow from existing junior club activities. It is envisaged that the works would encompass the following:

- Change rooms with toilets and showers
- Small kiosk
- Meeting rooms
- Associated car parking

This aligns with the minimum standard for buildings at a neighbourhood level facility as outlined in Council's Sportsground Directions Study.

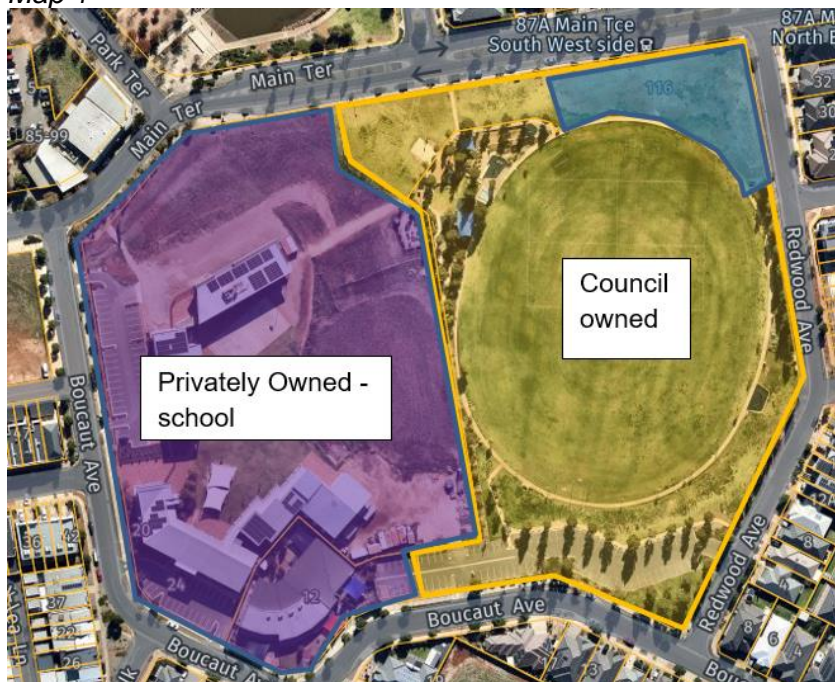
This facility had previously been identified as a high priority, neighbourhood level, sports ground facility, within the Sportsground Directions Study (2014). The prioritisation for the upgrade/construction of Council's sports ground infrastructure is currently under review. Therefore, the timing for the construction of the change rooms at Blakes Crossing Reserve may change, pending this review.

Concept planning for change rooms at Blakes Crossing Reserve was approved by Council in the 2022/23 Annual Business Plan. The construction of the change rooms has not yet been approved or initiated by Council.

Map 1 below shows the area in which the change room will be located (highlighted in blue). The final specific location, within the designated area, will not be known until design is complete. One of the key design components to work through is the location of car parking and entry/exit access to either Main Terrace or Redwood Avenue.

The project will involve community engagement in line with Council's Community Engagement Policy and Procedure. Given the site constraints and the need for the change rooms to be directly accessible from the oval it is likely that the engagement will be an inform process, as the community will have a limited ability to influence the design and location of the change rooms. It is necessary to note that the change rooms have been considered since the oval and surrounds were designed and established. The vacant land on the corner of Redwood Avenue and Main Terrace has always been set aside for the change rooms to maximise community use of the oval for organised sport.

Map 1



Blakes Crossing Community Centre

Blakes Crossing Reserve had been previously ear-marked in Council's Social Plan for Services and Infrastructure document as one of the potential future sites for a community centre, to service the needs of residents in the north-eastern urban area. The current location on the reserve, for the envisaged community centre is within the same area designated for the change room, identified in Map 1.

As is good practice, Council will review this direction in the strategy taking into consideration current growth and trends. Including an assessment of the optimal location of the community centre be it at Blakes Crossing Reserve or elsewhere.

The need for a community centre and its proposed location will be re-assessed during planning for the change room to ensure optimal utilisation of the oval and the

designated space. Council's considerations will also include exploring and maximising opportunities for shared use facilities aligning with Council's objective of using money wisely.

Cr Halls

History

Cr Halls submitted the following question on notice for the March Ordinary Council Meeting.

Question

On the Council Website page providing Elected members information pages, it has been noted by Residents that the area designating which Internal/External Committees the EMS' are on and dates of election to that office are not present, these were removed a few years ago.

Can this be rectified and will it also show up on the app.

Answer

Council's website includes a section called 'External Boards and Representation' which lists the external boards and advisory committees that specific Elected Members have been appointed to as official representatives of the Council. The page includes the name of the external board/committee and name of the appointed Elected Member representative but does not include the date of appointment. Staff will add the date/s of appointment to this section. This page can be found here <https://www.playford.sa.gov.au/council/council-and-committees/external-boards-and-representation>

There is also a link to this page from the 'Mayor and Councillors' page (located underneath the Council group photo). Staff will add a bold header to this section, so it is more easily visible and consistent with other headers on the page. This page can be found here <https://www.playford.sa.gov.au/council/about-council/mayor-and-councillors>

The Mayor and Councillors page (including the link to external boards/representation) is visible from the My Playford App via the Contact Us - Elected Members tab. The app mirrors the content from this website page.

There is inconsistency on the website in how we present which Elected Members are appointed to internal committees. Staff will update the 'Committee' section so that Independent Members and Elected Members appointed to internal committees as representatives of Council are listed (including dates of appointment) consistently on each committee page.

Cr Halls

History

Cr Halls submitted the following question on notice for the March Ordinary Council Meeting.

Question

When will staff be reviewing the website?

Multiple residents do not find that it is user friendly

Answer

The City of Playford website undergoes minor reviews to maintain and improve its functionality and user experience. These reviews are mainly driven by customer or staff feedback, seasonal or cyclic service updates or specific communication campaigns.

The reviews include content updates, search engine optimisation, technical improvements, and review of analytics to better understand user experiences and what information they are looking for.

A larger review of the website is among ICT projects under consideration as part of the ICT Program for 2023/24.

Cr Halls

History

Cr Halls submitted the following question on notice for the March Ordinary Council Meeting.

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 for the “grove of Nations Playground was 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 nations people.

Answer

The City Operations team are in possession of two (2) historic plaques to be placed in the reserve on the corner of Main North Road and Midway Road (adjacent to the Playford Tennis Centre). The plaques have been restored and will be affixed to large rocks that have been selected and prepared for this purpose and will be placed underneath the large Eucalyptus tree as pictured.

This area has been selected in consultation with the City Operations specialists to complement the existing landscape which has been recently established. It is anticipated that the large rocks / plaques will be in place at the end of March 2023, weather permitting.



Cr Halls**History**

Cr Halls submitted the following question on notice for the March Ordinary Council Meeting.

Question

Does the LGA [Meeting procedures] regulations allow for Council to implement a Question time for EMS at the Strategic and Service meeting, If so, can this be considered by EM's please.

Answer

The Local Government (Procedures at Meetings) Regulations 2023 allows for Council to implement questions without notice and questions on notice at the Strategy and Services Committee Meeting. Should Council wish to include questions on notice and questions without notice, Council would need to amend the Code of Practice for Council and Committee Meetings to reflect this practice.

10 PETITIONS

Nil

11 DEPUTATION / REPRESENTATIONS**11.1 ADELAIDE DIRT KART CLUB - MR DWAYNE AMES**

Mr Ames addressed the Chamber.

12 MOTIONS WITHOUT NOTICE**COUNCIL RESOLUTION****5345****Moved: Cr Karlsen****Seconded: Cr Vandeppear**

- 1. That Council staff provide a report within three months to examine the cost and feasibility of providing a sensory/chill-out zone at future major Council-run events, for example, the Australia Day Breakfast and Playford Community Christmas Carols.**
- 2. That the report will examine external funding that can be leveraged for the purchase of equipment for the zone.**
- 3. That the report will seek the input of a local therapy provider and at least one autistic person**

CARRIED

13 MOTIONS ON NOTICE**13.1 MOTION ON NOTICE | LIST OF HERITAGE PLACES WITHIN THE CITY**

Cr Bayani left the meeting room at 7:46 pm.

Cr Bayani returned to the meeting room at 7:47 pm.

COUNCIL RESOLUTION**5346****Moved: Cr Halls****Seconded: Cr Arifi**

Could the staff please provide the Council with a report by the May 2023 Ordinary Meeting regarding the List of Heritage places within the City. The report should also consider the following:

- The reason for the Heritage Listing, if known
- The category of the listing (i.e. Local, State or Other)
- Does Council regularly make recommendations of additions to the above listing?
- Advice of any known Aboriginal cultural sites, recognising that these may need to be reported confidentially to maintain cultural sensitivity.

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

Could the staff please provide the Council with a report by the July 2023 Ordinary Meeting regarding the List of Heritage places within the City. The report should also consider the following:

- The reason for the Heritage Listing, if known
- The category of the listing (i.e. Local, State or Other)
- Does Council regularly make recommendations of additions to the above listing?
- Advice of any known Aboriginal cultural sites, recognising that these may need to be reported confidentially to maintain cultural sensitivity.

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

Could the staff please provide the Council with a report by the July 2023 Ordinary Meeting regarding the List of Heritage places within the City. The report should also consider the following:

- The reason for the Heritage Listing, if known
- The category of the listing (i.e. Local, State or Other)
- Does Council regularly make recommendations of additions to the above listing?
- Advice of any known Aboriginal cultural sites, recognising that these may need to be reported confidentially to maintain cultural sensitivity.
- Whether Council allocates funding towards the preservation / maintenance of Council heritage listed sites in the City of Playford that are privately owned, if not, why not?

CARRIED

Cr Halls called for a DIVISION.

The motion was set aside.

A division was taken with:

2. Scope refers to employee, this should be clarified if employee or worker

CARRIED

14.3 COUNCIL ASSESSMENT PANEL DELEGATIONS POLICY

Responsible Executive Manager: Tina Hudson

COUNCIL RESOLUTION

5349

Moved: Cr Marsh

Seconded: Cr Onuzans

Council endorse the proposed Council Assessment Panel Delegations Policy (Attachment 1).

CARRIED

14.4 COUNCIL MEMBER TRAINING AND DEVELOPMENT POLICY AND PROCEDURE

Responsible Executive Manager: Dale Welsh

COUNCIL RESOLUTION

5350

Moved: Cr Halls

Seconded: Cr Baker

Council endorse the proposed Council Member Training and Development Policy (Attachment 1) and Council Member Training and Development Procedure (Attachment 3) subject to the following amendments:

- 1. 4.1.2 training needs form will be provided to Council Members at the conclusion of the mandatory training schedule within 12 months of the general election**
- 2. 4.6.1 include a timeframe for completion of the training and conference form in line with Local Government Acts timeframe given to return the gifts and benefits register**
- 3. 4.1.1.2 following the declaration of an election**

CARRIED

Strategy and Services Committee

Matters which cannot be delegated to a Committee or Staff

14.5 DEVELOPMENT OF AMENDING BY-LAW

Responsible Executive Manager: Dale Welsh

COUNCIL RESOLUTION

5351

Moved: Cr Smallwood-Smith

Seconded: Cr Halls

Council commences the process to draft an Amending By-Law to address the issues raised by the Legislative Review Committee.

CARRIED

15 STAFF REPORTS*Matters for Information***15.1 RESUMPTION OF SHIRLEY HALLS AS COUNCILLOR FOR WARD 5**

Responsible Executive Manager: Sam Green

COUNCIL RESOLUTION**5352**

Moved: Cr Rentoulis

Seconded: Cr Norris

Council receive and note the Resumption of Shirley Halls as Councillor (Attachment 1) from the Chief Executive Officer (CEO).

CARRIED**15.2 BUDGET UPDATE REPORT**

Responsible Executive Manager: Dale Welsh

COUNCIL RESOLUTION**5353**

Moved: Cr Baker

Seconded: Cr Stroet

Council notes the Budget Update report for the Period ending 28 February 2023.

CARRIED*Matters which cannot be delegated to a Committee or Staff***15.3 SECOND BUDGET REVIEW 2022/23**

Responsible Executive Manager: Dale Welsh

COUNCIL RESOLUTION**5354**

Moved: Cr Baker

Seconded: Cr Onuzans

That the Second Budget Review be adopted incorporating the Uniform Presentation of Finances (Attachment 1), noting that the revised budget consists of:

1. Revised Operating Surplus of \$4.4M
2. Estimated Net Surplus of \$46.1M (includes non-operating items)
3. Estimated Capital Expenditure of \$52.3M supported by grant funding for new/upgraded assets of \$8.7M (a net capital budget of \$43.6M)
4. Reclassification of \$17.5M Assets to Held for Sale

No change to existing Debt Facility limit of \$155.0M

CARRIED

15.4 PLAYFORD POSITION PAPER - LGA ORDINARY GENERAL MEETING 2023

Responsible Executive Manager: Dale Welsh

COUNCIL RESOLUTION**5355**

Moved: Cr Onuzans

Seconded: Cr Halls

1. Council endorses the LGA Ordinary Council Meeting 14 April 2023 – Agenda Items - Playford Position Paper (Attachment 1).
2. If the Mayor is unable to attend and appoints an attending Council Member as the proxy Council Delegate for voting rights, the Council authorises the CEO to complete the *Notification of Appointment of Substitute Council Delegate for one meeting only* form (Attachment 3).

CARRIED**16 INFORMAL DISCUSSION**

Nil

17 CONFIDENTIAL MATTERS**17.1 QUESTION ON NOTICE – PLAYFORD COMMUNITY CAROLS COSTING**

Responsible Executive Manager: Dale Welsh

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.1**COUNCIL RESOLUTION****5356**

Moved: Cr Smallwood-Smith

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 Financial Services;
- Senior Manager City and Corporate Planning;
- Senior Manager Community Engagement and Experience;
- Senior Manager Information, Technology and Governance;
- Senior Manager Libraries, Civic Venues & Stretton;
- Senior Manager Development, Environment & Community Safety;
- Governance Support;
- ICT Support;
- Minute Taker;

in order to consider in confidence agenda item 17.1 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.

This matter is confidential because there are confidentiality clauses within the entertainment contracts.

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 8:09 pm.

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

COUNCIL RESOLUTION

5357

Moved: Cr Smallwood-Smith Seconded: Cr Halls

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)(d) of the *Local Government Act 1999*:

- Question Answer for Item 17.1
- Minutes for Item 17.1

Duration of Order:

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 8:12 pm.

17.2 VIRGINIA HORTICULTURE CENTRE
Responsible Executive Manager: Tina Hudson

A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.2

COUNCIL RESOLUTION

5358

Moved: Cr Rentoulis Seconded: Cr Halls

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 Financial Services;
- Senior Manager City and Corporate Planning;
- Senior Manager Libraries, Civic Venues & Stretton;
- Senior Manager Information, Technology and Governance;

- Senior Manager Development, Environment & Community Safety;
- Governance Support;
- ICT 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.

This matter is confidential because To consider allocation of funds to third party.

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 8:12 pm.

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

COUNCIL RESOLUTION

5360

Moved: Cr Onuzans

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)(d) of the *Local Government Act 1999*:

- Report for Item 17.2
- Minutes for Item 17.2

Duration of Order:

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 8:14 pm.

17.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM (LRCI) - PHASE 4**Responsible Executive Manager:** Dale Welsh**A. COUNCIL TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 17.3****COUNCIL RESOLUTION****5361****Moved:** Cr Arifi**Seconded:** Cr Vandepeear

1. Council notes staff recommendation to receive this item in confidence.
2. Given that Phases 1, 2 & 3 of the Local Roads and Community Infrastructure Program were previously considered by Council in public; and
3. In the best interest of the community and for transparency this item 17.3 be considered in public.

LOSTCr Vandepeear called for a **DIVISION**.

The motion was set aside.

A division was taken with:

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

LOST**COUNCIL RESOLUTION****5362****Moved:** Cr Rentoulis**Seconded:** Cr Marsh

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;
- Senior Manager Community Engagement and Experience;
- Senior Manager Development, Environment and Community Safety;
- Senior Manager Information, Technology and Governance;
- Corporate Planner;
- Sport and Recreation Project Officer;
- 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 provision of this information is contrary to the public interest as it relates to potential investment of Council money in new services 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

Cr Arifi called for a **DIVISION**.

The motion was set aside.

A division was taken with:

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

CARRIED

The meeting went into confidence at 8:27 pm.

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

COUNCIL RESOLUTION

6364

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
- Attachments for item 17.3
- Minutes for Item 17.3

Duration of Order:

This order shall operate until the 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

Cr Arifi called for a **DIVISION**.

The motion was set aside.

A division was taken with:

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

CARRIED

The meeting re-opened to the public at 9:06 pm.

18 CLOSURE

The meeting closed at 9:06 pm.