
City of Onkaparinga
Minutes of the Council meeting
held on 17 July 2018

Venue: Council Chamber, Civic Centre
Ramsay Place, Noarlunga Centre

Meeting commenced: 7pm

Present: Mayor L F Rosenberg
Cr M Bray
Cr S Brown
Cr D Chapman
Cr J Deakin
Cr J Gunn
Cr G Hennessy
Cr G Kilby
Cr H Merritt
Cr G Olbrich (8.03pm)
Cr W Olsen (7.16pm)
Cr D Parslow
Cr P Schulze
Cr N Swann
Cr M Themeliotis

Apologies: Cr W Jamieson
Cr H Greaves
Cr R Holtham
Cr L Nicholls

Leave of absence: Cr H Wainwright

Absent:

Pledge:

We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future well-being of those we serve.

1. Opening of meeting

Mayor Rosenberg officially declared the meeting open at 7pm.

2. Confirmation of minutes

Cr Kilby MOVED that the minutes of the proceedings of the Council meeting held on 19 June 2018 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Themeliotis.

CARRIED

Cr Merritt MOVED that the minutes of the proceedings of the Special Council meeting held on 26 June 2018 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Gunn.

CARRIED

Cr Deakin MOVED that the minutes of the proceedings of the Special Council meeting held on 3 July 2018 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr Chapman.

CARRIED

3. Adjourned business

Nil.

4. Leave of absence

Nil.

5. Mayor's Communication

5.1 Mayor's Report

Onkaparinga Volunteers

On 21 June 2018 we gathered at South Adelaide Football Club to celebrate the work of our Onkaparinga volunteers with a Thank You function. We were joined by many valuable volunteers to be thanked and entertained by Blind Arry and The Shedtastics.

A special thank you to all our volunteers.

Panthers Mayor's Cup

Unfortunately we travelled to Elizabeth for an unsuccessful attempt to retain the Mayor's Cup in Pantherland. The Bulldogs were too strong and so the silver is in Playford for another year.

20th Anniversary Time Capsule

As you are aware we removed the time capsules of Noarlunga and Happy Valley Councils recently to celebrate our 20 years of amalgamation.

Community were invited to submit items to the next capsule which we buried on 27 June, to be taken up in 30 years at our 50 year celebration.

Thank you to staff for your efforts to preserve the previous materials, gather together the next group of materials, construct the capsule and arrange its burial. Great work and thank you to council members interested in the event and attending on the day.

ON Business Show and Share Event

Thank you to Mumme Tools, Lonsdale for hosting the second Show and Share event. This business is a shining example of inward looking solution making, while accepting major changes needed to capitalise on innovation and efficiency.

ON Business has secured a great partnership with Business SA and it is up to each of us, not only to support local business, but to promote this program.

Chengdu Consular General visit

I was pleased to support Gemtree Wines (at their request) and host a visit from Christopher Lim, the Chengdu Consular General. Gemtree are exploring business opportunities in Chengdu and expanding their footprint. I was happy that the City of Onkaparinga could do this small thing to support a great local winery.

Sunday 8 July

8 July was a busy Sunday but I wanted to do a giant 'shout out' to Edge Church RED Sunday where they donated over \$500,000 to humanitarian projects from money raised by their members.

I also admire the work of Reynella Kiwanis Club for holding their annual kids fun day at Wallis Theatre. I know the Deputy Mayor and various Members of Parliament helped with the barbeque that day.

Mayor's credit card half yearly report

I have attached my credit card summary January to June 2018 for your information, attachment 1.

Mayor's calendar

My activities from 16 June to 13 July 2018 are reflected in attachment 2.

Thank you to the Deputy Mayor for representing me at the following events during this period:

17 June	Panthers White Ribbon Charity Event
29 June	Australian Business Week 2018 Award Ceremony, Tatachilla Lutheran College
9 July	Partnership meeting of sport and recreation clubs
11 July	Presentation by Port Noarlunga Sport and Social Club
13 July	Star of Greece Wreath Laying and Plaque Dedication Ceremony

Notice of Motion for the Local Government Association of SA 2018 Annual General Meeting – Annual Business Plan Public Meeting

As advised in the Weekly News edition of 6 July 2018, the Local Government Association of SA (LGA) are calling for Notices of Motion from Councils for the 2018 LGA Annual General Meeting (AGM) to be held on Friday 26 October 2018. Council resolved Notices of Motion must be received at the LGA by 14 September 2018.

As a result of low attendances at the mandatory public meetings for the Annual Business Plan, and in an endeavour to encourage the use of more innovative methods of communication, I would like to put forward the following Notice of Motion for Council to resolve and forward to the LGA for inclusion in the agenda for the LGA AGM on 26 October 2018:

MOVED Cr Parslow.

That Council approves that the following Notice of Motion be submitted to the Local Government Association of SA for consideration at their 2018 Annual General Meeting to be held on Friday 26 October 2018:

That the Local Government Association of South Australia (LGA SA) seek input from all member councils as to whether they would support LGA SA advocating to the State Government for a change to Section 123 of the Local Government Act 1999 to remove subsections 4, 5, and 5a so that councils are no longer required to hold a public meeting when engaging on our draft Annual Business Plan and budget, and can choose more contemporary and innovative engagement techniques that better suit their respective community needs.

Seconded by Cr Merritt.

Cr Olsen entered the meeting at 7.16pm.

LOST

MOVED Cr Hennessy.

That Council note the 17 July 2018 Mayor's report.

Seconded by Cr Kilby.

CARRIED

6. Presentation

6.1 Mobile Muster – Kirk Richardson

Kirk Richardson, Director of City Operations presented Mayor Rosenberg with a framed Certificate in recognition of the 2018 Top Collector achievement Mobile Muster Local Government Awards for promoting and engaging the community in mobile phone and accessory recycling.

6.2 Matthew Nairn – SAPOL Southern District – Impacts of new district on City of Onkaparinga

Matthew Nairn gave a presentation and answered questions from elected members in relation to the impacts of the new southern district on City of Onkaparinga.

7. Deputation

7.1 Phil Wood – Pt Noarlunga Community Sports Complex

Phil Wood and Mark Dittmar gave a deputation and answered questions from elected members in relation to the upgrade of the Port Noarlunga Community Sports Complex.

7.2 Tim Possingham – Adelaide Rally 2018 Registration

Tim Possingham gave a deputation and answered questions from elected members in relation to the temporary road closures for the Adelaide Rally 2018 Registration.

7.3 Brenton Matters – Sellicks Beach Historic Motorcycle Classic Event 2019

Brenton Matters and Michael Madeley gave a deputation and answered questions from elected members in relation to the Sellicks Beach Historic Motorcycle Classic Event for 2019.

Cr Olbrich entered the meeting at 8.03pm.

7.4 Paul Murray – Hub Gymnastics Club

Paul Murray gave a deputation and answered questions from elected members in relation to the Hub Gymnastics Club.

8. Presentation by Committee Chairpersons and reports to Council by Council Committees.

8.1 Strategic Directions Committee meeting minutes of 3 July 2018

MOVED Cr Parslow.

That Council note the minutes of the Strategic Directions Committee meeting held on 3 July 2018 as attached to this agenda report.

Seconded by Cr Kilby.

CARRIED

9. Reports of officers

9.1 Proposal to commence a revocation of Jay Drive Willunga

MOVED Cr Chapman.

That for the land described as portion of Allotment 304 in Deposited Plan 32706 comprised in Certificate of Title Volume 6173 Folio 332 and bordered in red on the aerial photograph of subject areas for disposal, attachment 2 to the agenda report and for the land described as portion of Allotment 162 in Deposited Plan 30861 comprised in Certificate of Title Volume 5240 Folio 247 and bordered in blue on the aerial photograph of subject areas for disposal, attachment 2 to the agenda report, Council:

- a. Declares 'in principle' that the subject portions of community land are surplus to requirements and potentially suitable for disposal to the adjoining land owner.*
- b. Approves the commencement of the revocation process to revoke the community land classifications, including undertaking public consultation in accordance with the provisions of subsection 194(2) of the Local Government Act 1999.*
- c. Requests a further report be presented to Council following the outcome of the public consultation phase of the revocation process.*

Seconded by Cr Deakin.

CARRIED

9.2 Proposed Sellicks Beach Historic Motorcycle Classic Event 2019

Cr Themeliotis declared a material conflict of interest as a staffer of the Office of Recreation, Sport, Racing (ORSR) who are in partnership with the event and the State Government provide funding and left the Chamber at 8.20pm.

MOVED Cr Brown.

That for the land described as portion of Crown Record Volume 5752 Folio 695 and including the adjoining Aldinga Beach coastal lands both of which are under Council's care and control, Council:

- 1. Receives and notes the five (5) submissions collated during the public consultation phase of the licence assessment process as follows:*
 - two (2) members of the public objected*
 - two (2) members of the public have raised concerns and suggestions*
 - one (1) member of the public representing the Aldinga Washpool and Silver Sands Heritage group provided a range of statements and views in a late submission received after the closing date of the consultation period and is included for consideration.*

2. *Having considered the submissions received and provided as attachments to the agenda report, Council resolves to:*
- a. *Approve the issue of a Licence to Motor Cycle South Australia Inc. to host the proposed event titled Sellicks Beach Historic Motorcycle Classic in 2019 on the basis that:*
- *lessons learnt from the 2017 event will mitigate against the potential identified risks for the 2019 event*
 - *approval is granted subject to Motor Cycle South Australia Inc. updating their Event's Risk Management Plan in accordance with the advice provided from the state and non-government agencies provided in attachment 6 to the agenda report.*
 - *approval is granted subject to Motor Cycle South Australia revising their event management plan to incorporate:*
 - *cigarette butt waste management*
 - *residential parking and access concerns*
 - *communication to residents who have inaccurate event information*
 - *providing evidence that traditional owners have been informed of the event.*

Seconded by Cr Gunn.

CARRIED

Cr Chapman called a DIVISION and the decision was set aside.

For:

<i>Cr Bray</i>	<i>Cr Brown</i>	<i>Cr Olsen</i>	<i>Cr Deakin</i>	<i>Cr Kilby</i>
<i>Cr Gunn</i>	<i>Cr Merritt</i>	<i>Cr Hennessy</i>	<i>Cr Parslow</i>	<i>Cr Swann</i>
<i>Cr Schulze</i>	<i>Cr Olbrich</i>			

Against:

<i>Cr Chapman</i>				
-------------------	--	--	--	--

CARRIED

Cr Themeliotis resumed her seat in the Chamber at 8.33pm.

9.3 Request the revocation and disposal of three community land parcels

MOVED Cr Merritt.

That for the council owned reserves described as:

- a. Allotment 287 in Deposited Plan 23721, comprised in Certificate of Title Volume 5648 Folio 687, at 113 Liguria Crescent, Noarlunga Downs and delineated in red on the aerial photograph of Noarlunga Downs land, attachment 1 to the agenda report;*
- b. Portion of Allotment 223 in Deposited Plan 6958, comprised in Certificate of Title Volume 5101 Folio 814, at 3 Emberton Place, Morphett Vale and delineated in red on the aerial photograph of Morphett Vale land, attachment 2 to the agenda report, and;*
- c. Allotment 615 in Deposited Plan 25007, comprised in Certificate of Title Volume 5387 Folio 167, at Quinliven Road, Aldinga Beach and delineated in red on the aerial photograph of Aldinga Beach land, attachment 3 to the agenda report.*

Council:

- 1. Declares 'in principle' that the subject reserves are surplus to requirements and potentially suitable for disposal on the open market.*
- 2. Approves the commencement of the process to revoke the subject lands from their community land classification by undertaking public consultation in accordance with the provisions of subsection 194(2)(b) of the Local Government Act 1999.*
- 3. Approves the assignment of tree canopy replacement costs totalling \$4,542 associated with the disposal of the Quinliven Road, Aldinga Beach reserve to the Urban Tree Fund, as outlined in the Background Section of this agenda report.*
- 4. Requests a further report be presented to Council following the outcomes of the public consultation phase of the revocation process.*

Seconded by Cr Hennessy.

CARRIED

9.4 Temporary Road Closure - Adelaide Rally 2018

MOVED Cr Hennessy.

- 1. In accordance with Clause G of the Minister for Transport and Infrastructure Notice dated 22 August 2013 (as presented to Council on 5 July 2016) which delegates the power to close roads and grant exceptions for events, Council consents to the proposed road closure of:*
 - Old Willunga Hill Road, Willunga from Brookman Road Willunga from 12 noon to 4pm on Wednesday 28 November 2018 for the Adelaide Rally 2018 event.*

and

- Wickhams Hill Road from McLaren Flat Road to 50 metres south of Toops Hill Road from 12 noon to 4pm on Wednesday 28 November 2018 for the Adelaide Rally 2018 event.*

2. Council support the Commissioner of Police order that the proposed roads listed in recommendation 1 be closed, subject to the Sporting Car Club of South Australia:
- paying for advertising and management of the temporary road closure for the Adelaide Rally
 - notifying all the property owners along the routes and within the Willunga township, in writing
 - advertising the event well in advance
 - assuming responsibility for any damage to the road and associated infrastructure resulting from the events
 - facilitating the road closure and assisting local residents and road users through the detours, using marshals and professional traffic management contractors.

Seconded by Cr Deakin.

Cr Merritt left her seat in the Chamber at 8.35pm.

Cr Merritt resumed her seat in the Chamber at 8.37pm.

CARRIED

Cr Chapman called a DIVISION and the decision was set aside.

For: Cr Bray, Brown, Olsen

<i>Cr Bray</i>	<i>Cr Brown</i>	<i>Cr Olsen</i>	<i>Cr Deakin</i>	<i>Cr Kilby</i>
<i>Cr Gunn</i>	<i>Cr Merritt</i>	<i>Cr Hennessy</i>	<i>Cr Themeliotis</i>	<i>Cr Parslow</i>
<i>Cr Swann</i>	<i>Cr Schulze</i>	<i>Cr Olbrich</i>		

Against:

<i>Cr Chapman</i>				
-------------------	--	--	--	--

CARRIED

9.5 Review of Place Naming Policy and Procedure

Cr Olsen left his seat in the Chamber at 8.44pm.

Cr Olsen resumed his seat in the Chamber at 8.44pm.

MOVED Cr Brown.

That Council:

1. approve the updated Place Naming Policy as attachment 1 to the agenda report.
2. note the updated Place Naming Procedure as attachment 2 to the agenda report.

Seconded by Cr Kilby.

CARRIED

9.6 Aldinga Urban Lands Development Plan Amendment

Cr Brown left her seat in the Chamber at 8.48pm.
Cr Brown resumed her seat in the Chamber at 8.50pm.

MOVED Cr Bray.

That Council:

- 1. Approves the Summary of Consultation and Proposed Amendments (SCPA) report in response to submissions received on the draft Aldinga Urban Lands Development Plan Amendment as contained in attachment 1 to the agenda report.*
- 2. Approves a further amendment to Councils position that a buffer zone be included adjacent to existing residential areas. The buffer could be council owned land, or deep residential blocks with a 15 metre no habitable construction easement.*
- 3. Approves The Amendment for the Aldinga Urban Lands Development Plan Amendment as contained in attachment 2 to the agenda report, to formally submit for approval to the Minister for Planning in accordance with Section 25 (14) of the Development Act 1993.*
- 4. Delegates to the Chief Executive Officer, or his nominee, the authority to make any necessary changes to The Amendment – Aldinga Urban Lands Development Plan Amendment in order to obtain the approval of the Minister of Planning, providing the policy intent is not altered and the changes are minor.*
- 5. Notes that all submitters will be written to individually and advised on the outcome of the DPA and how their submission has been responded to.*

Seconded by Cr Brown.

Cr Parslow *MOVED* an *AMENDMENT*

That Council:

- 1. Approves the Summary of Consultation and Proposed Amendments (SCPA) report in response to submissions received on the draft Aldinga Urban Lands Development Plan Amendment as contained in attachment 1 to the agenda report.*
- 2. Approves The Amendment for the Aldinga Urban Lands Development Plan Amendment as contained in attachment 2 to the agenda report, to formally submit for approval to the Minister for Planning in accordance with Section 25 (14) of the Development Act 1993.*
- 3. Delegates to the Chief Executive Officer, or his nominee, the authority to make any necessary changes to The Amendment – Aldinga Urban Lands Development Plan Amendment in order to obtain the approval of the Minister of Planning, providing the policy intent is not altered and the changes are minor.*
- 4. Notes that all submitters will be written to individually and advised on the outcome of the DPA and how their submission has been responded to.*

Seconded by Cr Olbrich.

The AMENDMENT was PUT and CARRIED

The MOTION, thus AMENDED, was PUT and CARRIED.

At 9.14pm Mayor Rosenberg sought and was granted leave of the meeting for a 10 minute break.

Mayor Rosenberg reconvened the meeting in the Chamber at 9.26pm with all members present that were present before the adjournment.

Mayor Rosenberg brought forward item 12.1 Notice of Motion – Cr Deakin re Pt Adelaide Football and Sports Club Facility at this point.

12. Motions

12.1 Notice of Motion – Cr Deakin re Pt Noarlunga Football and Sports Club facility plan

Cr Merritt declared an actual conflict of interest as her family is heavily involved with the Pt Noarlunga Football Club through volunteering, playing and coaching and would benefit from the upgrade and left the Chamber at 9.26pm.

MOVED Cr Deakin.

1. *That Council's administration,*
- a. *Continue to work with the Port Noarlunga Football and Sports Club committee to, finalise the facility plan for the site and develop their facility replacement proposal incorporating a business case.*
 - b. *Support the Club in its application for applicable grant applications and for the project to be considered in Council's 2019 - 2020 budget deliberations.*
2. *That a report be presented to Council before the 2018 Caretaker period to outline the process to commence Community Land revocation of that parcel of land described as the western boundary of the Sports Ground adjacent to Commercial Road.*
3. *That this report outline the process by which the Council needs to action regarding the division of the land to excise it from the broader land parcel and suitable residential rezoning of the land to support a proposed sale of this portion of land.*

Seconded by Cr Swann.

CARRIED

9.7 Delegation Update

Cr Merritt resumed her seat in the Chamber at 9.47pm.

MOVED Cr Brown.

1. *That, in accordance with section 44 of the Local Government Act 1999, Council hereby:*
 - a. *revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts, namely:*
 - *Dog and Cat Management Act 1995*

- *Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014.*
- b. *delegates from this day 17 July 2018 to the person occupying the office of Chief Executive Officer ('the Delegate') and to any person acting in that office, subject to the conditions and or limitations specified in the Instruments of Delegation, as attachments 1 and 2 to the agenda report, those powers and functions under the following Acts, namely:*
 - *Dog and Cat Management Act 1995*
 - *Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014.*
- 2. *That such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation under the above Acts.*

Seconded by Cr Swann.

CARRIED

9.8 Elected Member allowances and benefits

MOVED Cr Parslow.

That Council note the agenda report and the Elected Members Allowances and Benefits Register extract as attached to the agenda report.

Seconded by Cr Gunn.

CARRIED

9.9 Council and Committee Reporting Schedule

MOVED Cr Kilby.

That Council note the agenda report and Reporting Schedule, attachment 1 to the agenda report.

Seconded by Cr Themeliotis.

CARRIED

10. Nominations to external bodies

Nil.

11. Questions on notice

11.1 Cr Bray – Re Budget 2018

Background

The 2018-19 Business Plan includes a projected Balance Sheet (Appendix 3 on page 64). In that Balance Sheet, figures for Trade Receivables (money owed to Council) and Trade Payables (money owed by Council) warrant some further explanation please.

1. Trade Receivables

The proposed Balance Sheet shows that zero monies under the category *Trade and Other Receivables* will be owed to Council on 30 June 2018, while the forecast is that \$16m is expected to be owed to Council on 30 June 2019. The 2017 Annual Report shows that on 30 June 2016, a total of \$7.9m was owed to Council, including \$4.4m in outstanding rates and \$1.5m by general debtors. The same report shows that in 2017, a total of \$8.9m was owed to Council, including \$4.8m in outstanding rates and \$1.8m by general debtors.

Questions

On what basis is the zero figure for 2018 calculated based upon previous year experiences?

The financial modelling for 2017-18 assumed debtor days of 0 (i.e. all debt was paid immediately).

The 2018-19 financial modelling has been improved to assume debtor days of 30 days reflecting more accurately actual receipt terms.

Does this mean that absolutely all rates and other amounts owed to Council will have been paid on that date, with no bad debts or deferred payments?

The 2017-18 financial modelling made this assumption. As noted above, the assumption has been improved in the 2018-19 financial modelling.

What procedure applies to collection of outstanding rates and other debts – do normal commercial practices apply prior to calling in debt collection agencies?

Normal practices apply for the collection of rates with a debt collection agency being utilised when accounts fall 2 months overdue. Legal action is taken at 4 months overdue.

On what basis is it expected that these receivables will rise from zero on 30 June 2018 to \$16m on 30 June 2019?

This reflects the change in debtor day assumptions from 0 to 30 days included in our financial modelling. Please refer to response above.

2. Trade Payables

The proposed Balance Sheet shows that \$13.7m under the category *Trade and Other Payables* will be owed by Council on 30 June 2018, while the forecast is that this will increase sharply to \$22.3m being owed by Council on 30 June 2019. The 2017 Annual Report shows that on 30 June 2016, a total of \$15.7m was owed by Council including \$10.0m for Goods and Services. The same report shows that in 2017, a total of \$19.2m was owed by Council including \$4.3m for Goods and Services and \$8.6m in Accrued Expenses Other.

Questions

For the 2018 Council debt to others of \$13.7m, could you please supply a basic breakdown between category eg. contractors, consultants, suppliers and other creditors?

It is not possible to provide this breakdown as the financial modelling assumptions used to generate the budgeted Balance Sheet only consider creditors in total terms (ie not by spend type).

What procedure applies to payment of invoices by Council – do we generally pay on receipt, on 30 days, or on reminders?

Generally our payment terms are that payment is made at the end of the following month after the month of invoice (i.e. an average of 45 days) We do support local small business and offer more favourable payment terms as agreed prior to purchase.

Has Council been the subject of any collection action by contractors or suppliers due to slow payment practices?

In so far as I am aware we have never been taken to court over the payment of supplier invoices.

On what basis is it expected that Council payables will rise by \$8.6m for the coming year?

The financial modelling for 2017-18 assumed creditor days of 30 days whereas the 2018-19 financial modelling has been improved to assume creditor days of 45 days reflecting more accurately actual payment terms.

This amendment has resulted in the modelled increase in creditors forecast for 30 June 2019 you have identified.

Are payments to suppliers and contractors deferred because of borrowing practices and cash flows, for example to keep loans within policy limits?

Unless invoices are disputed by the organisation, payments to our suppliers are made in accordance with pre agreed payment terms.

That said, our average payment terms of 45 days being in excess of our 30 day average receipt days does provide a cash flow benefit to council that reduces borrowings and interest costs.

13. Petitions

13.1 Petition - Safer Communities Fund Round 3

MOVED Cr Kilby.

- 1. That the petition be received and noted.*
- 2. That Council investigate the merits of a joint-application for funding through the Safer Communities Fund, in partnership with the Department of Planning, Transport and Infrastructure, at the opening of Round 3 of the fund and following an assessment of the success of the safety interventions already implemented by the relevant agencies.*
- 3. That the head petitioner be notified of Council's decision.*

Seconded by Cr Themeliotis.

CARRIED

14. Urgent business

14.1 Annual Business Plan Public Meeting

MOVED Cr Chapman.

That a report comes back to the September 2018 Council meeting that makes recommendations about improving our engagement techniques to raise attendance for the Annual Business Plan public meeting that include but are not restricted to, contemporary and innovative engagement techniques.

Seconded by Cr Deakin.

CARRIED

At 10.00pm Cr Hennessy MOVED that the meeting continue until the conclusion of business.

Seconded by Cr Brown.

CARRIED

15. Confidential items

15.1 Tier 1 Event

MOVED Cr Parslow.

1. That:

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the report at the meeting on the following grounds:*

Section 90(3)(j) information the disclosure of which -

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the Council); and*
- (ii) would, on balance, be contrary to the public interest;*
- c. accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

Seconded by Cr Chapman.

CARRIED

MOVED Cr Kilby.

- 3. That the matter of Tier 1 Event having been considered by the Council in confidence under sections 90(2) and 90(3)(j) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the Tier 1 Event, any informal questions and responses, discussion and minutes of the Council relating to discussion of the subject matter be kept confidential until 3 August 2018 (pending Events South Australia (ESA) announcement).*
- 4. That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
- 5. That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

Seconded by Cr Gunn.

CARRIED

15.2 Recreational Centre Lease Proposal – Hub Gymnastics and Inflatable Zone

MOVED Cr Hennessy.

1. *That:*

- a. *under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public, with the exception of staff on duty, be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. *the Council is satisfied that it is necessary that the public, with the exception of staff on duty, be excluded to enable the Council to consider the Recreation Centre Lease proposal at the meeting on the following grounds:*

Section 90(3) (b) information the disclosure of which -

- (i) could reasonably be expected to confer a commercial advantage on a person 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;*
- c. *accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.*

Seconded by Cr Bray.

CARRIED

MOVED Cr Themeliotis.

2. *That Council receives and notes this report.*
3. *Notes that having comprehensively considered the requirements of the Hub Gymnastics Club Inc. Council has explored all viable opportunities within Council's facilities or vacant Council land.*
4. *Approves the relocation of Inflatable Zone from The Hill Recreation Centre to the Hub Recreation Centre and the lease terms and conditions incorporated in this report.*
5. *Approves The Hub Gymnastics Club Inc to lease The Hill Recreation Centre in conjunction with the Over 50's Group on the lease terms and conditions incorporated in this report.*
6. *Authorises the CEO to negotiate an outcome with the parties to within +/- 20% of the proposed rental amounts and execute all necessary documents required to finalise the associated transactions.*

Seconded by Cr Bray.

Cr Olsen MOVED that the MOTION be PUT.

Seconded by Cr Kilby

CARRIED

The MOTION was PUT and CARRIED

MOVED Cr Hennessy.

7. *That the matter of the Recreation Centre Lease Proposal having been considered by the Council in confidence under sections (90) (2) and 90 (3) (j) of the Local Government Act 1999 that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the Recreation Centre Lease Proposal report be kept confidential until the transactions are finalised and documents are executed.*
8. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
9. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

Seconded by Cr Merritt.

CARRIED

16. Closure

Mayor Rosenberg officially declared the meeting closed at 10.25pm.

Certified CorrectChair

/ /2018