

**MINUTES OF CITY OF MOUNT GAMBIER
ECONOMIC AND ENVIRONMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON MONDAY, 2 SEPTEMBER 2019 AT 5.33 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Ben Hood, Cr Paul Jenner (arrived at 5.42 p.m.), Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman (arrived 5.35 p.m.)

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Acting General Manager Council Business Services	- Mr J Zwijnenburg
	Manager Executive Administration	- Mr M McCarthy
	Executive Administration Officer	- Mrs F McGregor

APPOINTMENT OF ACTING PRESIDING MEMBER

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Ben Hood

Cr Max Bruins be appointed as Acting Presiding Member for the meeting in the absence of Cr Christian Greco.

CARRIED

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGY(IES)

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

That the apology(ies) from Cr Christian Greco and Cr Kate Amoroso be received.

CARRIED



3 CONFIRMATION OF MINUTES

Nil

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 PROPOSED MEETING DATES FOR THE ECONOMIC AND ENVIRONMENT COMMITTEE FOR 2019/20

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Economic and Environment Committee Report No. AR19/45836 titled 'Proposed Meeting Dates for the Economic and Environment Committee for 2019/20' as presented on 02 September 2019 be noted.
2. That its meeting schedule for 2019/20, be as set out in Attachment 1 to this report.

CARRIED

Cr Paul Jenner entered the meeting at 5.42 p.m.

5.2 TERMS OF REFERENCE OF THE ECONOMIC AND ENVIRONMENT COMMITTEE

COMMITTEE RESOLUTION

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/45837 titled 'Terms of Reference of the Economic and Environment Committee' as presented on 02 September 2019 be noted.
2. That this is a prescribed Committee for the purposes of payments as required by the SA Remuneration Tribunal.

CARRIED



5.3 UPDATE ON PROGRESS TO ESTABLISH A TRI-PARTY AGREEMENT WITH KPIS BETWEEN THE CITY OF MOUNT GAMBIER, DISTRICT COUNCIL OF GRANT AND THE SOUTH EAST ANIMAL WELFARE LEAGUE

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR19/45977 titled 'Update on progress to establish a tri-party agreement with KPIS between the City of Mount Gambier, District Council of Grant and the South East Animal Welfare League' as presented on 02 September 2019 be noted and endorsed.
2. That the Chief Executive Officer be authorised to sign the tri-party agreement on behalf of the City of Mount Gambier, subject to it being consistent with the contents of Table 1 forming part of this report.

CARRIED

5.4 LAKES ROTARY CLUB WORKS PROPOSAL

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Economic and Environment Committee Report No. AR19/45839 titled 'Lakes Rotary Club Works Proposal' as presented on 02 September 2019 be noted.
2. That Council congratulate the Lakes Rotary Club on their initiative in raising this as a necessary and worthwhile project within the Crater lakes Precinct and
 - (a) That Council provides in principle support for the development of this project for the restoration of the existing walking trail between the Valley Lakes and Leg of Mutton Lake (from Keegan Drive through to Marks Lookout):
 - (i) with Council staff providing the necessary assistance to prepare design details, liaising with the QEPT in relation to proposed effluent management systems and seek the relevant development approvals; and
 - (ii) Lakes Rotary Club to undertake the physical works and provide the necessary materials for the first stage; and
 - (iii) Any further commitment from council be subject to future budget allocations.

CARRIED



5.5 PROPOSED ROAD CLOSING - 11-13 PEAKE STREET

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin
Seconded: Cr Steven Perryman

1. That Economic and Environment Committee Report No. AR19/43466 titled 'Proposed Road Closing - 11-13 Peake Street' as presented on 02 September 2019 be noted.
2. A Road Process be commenced for the closure of portions of Peake Street marked 'Part A' and 'Part B' on the Preliminary Plan attached to Report No. AR19//43466 to be amalgamated with the adjoining Allotments 52 & 53.
3. The Road Process envisaged at recommendation (2) be at the full cost of the applicant including the engagement of surveying and conveyancing services and the re-imbusement of any out of pocket expenses incurred by Council including stamp duty.
4. That consideration for the land associated with the road closing and transfer be, subject to the making of a Road Order and registration by the Registrar General, \$8,000 +GST.
5. A further report be presented to Council to consider any objections and the making of a Road Process Order;
6. in the event that no objections are received, the Chief Executive Officer and Mayor be authorised to make a Road Process Order and prepare a Final Plan to close and transfer any part or portion of Peake Street as shown on the Preliminary Plan attached to Report No. AR19/43466 to adjoining owners for amalgamation with the adjoining Allotments 52 and 53 for consideration as specified in recommendation (4).
7. A Road Authorisation be granted for a period not exceeding 5 years for occupation, fencing and other minor works to the road area marked 'Part A' and 'Part B' in the preliminary plan attached to Report No. AR19/43466.
8. The Chief Executive Officer and Mayor be authorised to affix the Common Seal to any documentation necessary to give effect to the road closure and road authorisation in recommendations (1), (6) and (7).

CARRIED

5.6 1 HOUR PARKING ZONE STURT STREET (NORTHERN SIDE)

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/46048 titled '1 Hour Parking Zone Sturt Street (Northern Side)' as presented on 02 September 2019 be noted.
2. The Traffic impact statement attached to the Economic and Environment Committee Report No. AR19/46048 be endorsed by Council.
3. That City of Mount Gambier, pursuant to Ministerial delegation resolves the following:
 - (a) Prohibited Area 1 HOUR PARKING
3.3.210



STURT STREET (NORTHERN SIDE) - from 10 metres to 97 metres east of the intersection with Compton Street to apply between 8.00 am and 5.00 pm. Monday to Friday and 8.00 am to 12 noon Saturdays.

- (b) To be effective on the installation of appropriate signage.

CARRIED

5.7 POLICY REVIEW - O110 ORDER MAKING AND C305 CARETAKER POLICY

COMMITTEE RECOMMENDATION

Moved: Cr Sonya Meziniec
Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR19/43867 titled 'Policy Review - O110 Order Making and C305 Caretaker Policy' as presented on 02 September 2019 be noted.
2. That, having conducted public consultation in accordance with the provisions of the Local Government Act 1999 and in the absence of any enquiries or submissions, the following draft policies now be adopted and added to Council's Policy Index:

Caretaker Policy C305

Order Making Policy O110

MOTION

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman
Seconded: Cr Frank Morello

That Item 5.7 be deferred to the end of the Economic and Environment Committee Reports.

CARRIED

5.8 WINTV RIGHT OF WAY / EASEMENT UPDATE

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin
Seconded: Cr Sonya Meziniec

1. That Economic and Environment Committee Report No. AR19/45842 titled 'WINTV Right of Way / Easement Update' as presented on 02 September 2019 be noted.



2. That a right of way be granted, in long form, in favour of the WINTV site over portion of the Lake Terrace Cemetery being Section 78 Hundred 420200 contained in Certificate of Title Volume 5836 Folio 64, for a consideration amount of \$8,500 and with the applicant responsible for all associated costs.
3. The Chief Executive Officer and Mayor be authorised to affix the Council Seal to any documentation necessary to give effect to the grant of right of way in accordance with resolution (2).
4. That Council work in partnership with WINTV to:
 - a) develop an exhibit of archival footage that is of interest to the Mount Gambier community around regional sporting activities and achievements, which may be of value in the Regional Sport and Recreation Centre.
 - b) lobby the National Sound and Film Archive to prioritise their take-up of WINTV (Mount Gambier) archival footage into the national archive.

CARRIED

5.9 WORK IN PROGRESS BUDGET CARRY OVERS FROM 2018/2019

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR19/41788 titled 'Work in Progress Budget Carry Overs from 2018/2019' as presented on 02 September 2019 be noted.
2. That the Work in Progress Budget carry overs from 2018/2019 of \$2,326k be endorsed and reflected in the 2019/20 budget.

CARRIED

5.10 WORK PROGRAM FOR THE ECONOMIC AND ENVIRONMENT COMMITTEE FOR 2019/20

The Presiding Member sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to discuss Item 5.10 of the Environment and Economic Committee meeting.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 6.43 p.m.

The Presiding Member determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 6.55 p.m.



COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/46229 titled 'Work Program for the Economic and Environment Committee for 2019/20' as presented on 02 September 2019 be noted.
2. That the following items comprise the Committee's work program for the remainder of the 2019/20 municipal year:
 - a) Budget process and preparations
 - b) Environmental Sustainability
 - c) Council funding for tourism
 - d) Economic Development
 - e) Future of Council owned tourism assets
 - f) PLEC
 - g) Waste Management
 - h) Land Acquisition

CARRIED

5.7 POLICY REVIEW - O110 ORDER MAKING AND C305 CARETAKER POLICY

COMMITTEE RECOMMENDATION

Moved: Cr Sonya Mezinec
Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR19/43867 titled 'Policy Review - O110 Order Making and C305 Caretaker Policy' as presented on 02 September 2019 be noted.
2. That, having conducted public consultation in accordance with the provisions of the Local Government Act 1999 and in the absence of any enquiries or submissions, the following draft policies now be adopted and added to Council's Policy Index:

Caretaker Policy C305

Order Making Policy O110

AMENDMENT

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/43867 titled 'Policy Review - O110 Order Making and C305 Caretaker Policy' as presented on 02 September 2019 be noted.
2. That, having conducted public consultation in accordance with the provisions of the Local Government Act 1999 and in the absence of any enquiries or submissions, the following draft



policies now be adopted and added to Council's Policy Index:

Order Making Policy O110

3. Caretaker Policy C305 be amended to remove paragraph 6.6 and the CEO be delegated authority to review the policy and make changes as necessary to other clauses in order to ensure the policy is not compromised by the removal of paragraph 6.6 in isolation.
4. Council proceed to a second round of consultation on the amended Caretaker Policy C305.

The Amendment becomes Motion
And the Motion is put and

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman

Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/43867 titled 'Policy Review O110 Order Making and C305 Caretaker Policy' as presented on 02 September 2019 be noted.
2. That, having conducted public consultation in accordance with the provisions of the Local Government Act 1999 and in the absence of any enquiries or submissions, the following draft policies now be adopted and added to Council's Policy Index:
Order Making Policy O110
3. Caretaker Policy C305 be amended to remove paragraph 6.6 and the CEO be delegated authority to review the policy and make changes as necessary to other clauses in order to ensure the policy is not compromised by the removal of paragraph 6.6 in isolation.
4. Council proceed to a second round of consultation on the amended Caretaker Policy C305.

CARRIED

6 URGENT MOTIONS WITHOUT NOTICE

Nil



7 CONFIDENTIAL ITEMS

7.1 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/40344

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin
Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/40344 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec
Seconded: Cr Steven Perryman

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.1 AR19/40344 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



7.2 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/41851

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec
Seconded: Mayor Lynette Martin

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/41851 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Mayor Lynette Martin

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.2 AR19/41851 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*..

CARRIED



7.3 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/43265

COMMITTEE RESOLUTION

Moved: Cr Ben Hood
Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.3 AR19/43265 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner
Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.3 AR19/43265 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



7.4 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/43435

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec
Seconded: Mayor Lynette Martin

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Councillors Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.4 AR19/43435 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Ben Hood
Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.4 AR19/43435 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



7.5 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/43504

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec
Seconded: Cr Paul Jenner

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.5 AR19/43504 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Paul Jenner

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.5 AR19/43504 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



7.6 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR19/45899

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Ben Hood

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.6 AR19/45899 Sale of Land for non-payment of Rates.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the matter in an open forum would involve the unreasonable disclosure of information concerning the personal affairs of any person.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Ben Hood
Seconded: Cr Steven Perryman

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.6 AR19/45899 Sale of Land for non-payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the later of:- 12 months, or the matter being settled.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



7.7 LEASE EXPIRY REVIEW – REPORT NO. AR19/43830

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec
Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, B Hood, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, M McCarthy and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.7 AR19/43830 Lease Expiry Review.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a), (b) and (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which 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

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the lease of the subject site is to an individual whose business interests are personal affairs, the consideration of which in an open forum would be an unreasonable disclosure of the proponents personal and commercial information and could reasonably prejudice the Council's commercial position in further lease negotiations.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinac
Seconded: Mayor Lynette Martin

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.7 AR19/43830 Lease Expiry Review and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b) and (d) be kept confidential and not available for public inspection until 18 August 2020 or 12 months after a new lease has been entered into with the proponent, whichever is the later.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

8 MEETING CLOSE

The Meeting closed at 7.32 p.m.

The minutes of this meeting were confirmed at the Economic and Environment Committee held on 4 November 2019.

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PRESIDING MEMBER

