

**MINUTES OF CONFIDENTIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 17 DECEMBER 2019 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Mezinec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE:

Chief Executive Officer	- Mr A Meddle
General Manager Community Wellbeing	- Ms B Cernovskis
General Manager City Infrastructure	- Mr N Serle
Manager Development Services	- Mrs T Tzioutziouklaris
Communications Officer	- Mrs A Watson
Manager Executive Administration	- Mr M McCarthy
Executive Administration Officer	- Mrs M Telford
Executive Administration Officer	- Mrs E Solly

25 CONFIDENTIAL ITEMS OF COMMITTEES

25.1 CONFIDENTIAL ITEMS OF THE PEOPLE AND PLACE COMMITTEE HELD ON 2 DECEMBER 2019

25.5 COMMUNITY AND RECREATION HUB TENANCIES - MOUNT GAMBIER AND DISTRICT NETBALL ASSOCIATION – REPORT NO. AR19/66183

RESOLUTION 2019/405

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers A Meddle, B Cernovskis, N Serle, T Tzioutziouklaris, A Watson, M McCarthy, M Telford and E Solly be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.5 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association.

The Council is satisfied that, pursuant to section 90(3) (b) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Council 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 matter to be discussed relates to demolition and civil works and associated budget that Council is considering to be undertaken, the release of which during the contractor quotation period could influence and jeopardise the Councils negotiating position to obtain best value and best outcomes for the community.

CARRIED



RESOLUTION 2019/406

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

1. That Regional Sport and Recreation Centre Committee Report No. AR19/66183 titled 'Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association' as presented on 10 December 2019 be noted.
- 2.
- 3.
4. The lease for the netball courts at Olympic Park with a commencement date of 1 July 2009 be terminated on the giving of one month's notice to the Mount Gambier and Netball Association.
5. That a new lease be granted to the Mount Gambier and District Netball Association for an amended lease area comprising the Olympic Park netball courts for a period 2 years on standard sporting lease terms and conditions, including the waiver of rental for 2 years.
6. The Chief Executive Officer and Mayor be authorised to execute and affix the Council Seal to any documentation necessary to give effect to the lease termination and new lease as set out in resolutions (4) and (5).

CARRIED

RESOLUTION 2019/407

Moved: Cr Max Bruins
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 7.2 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association 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) (b) be kept confidential and not available for public inspection until the Council has considered the proposed works, adopted a budget and engaged a contractor for each component of the proposed works, or until 12 months have elapsed, whichever is the earlier.

Resolutions 1, 4, 5 and 6 to be released immediately upon determination of the matter by Council.

2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

