1

MINUTES OF THE MEETING of the Mount Barker District Council held in the

Council Chambers of the Local Government Centre,

Mount Barker on Monday 7 June 2021 at 7pm.

PRESENT Mayor (A. Ferguson), Councillors Bailey, Grosser

Hardingham, Jones, Leach, Minett, Orr, Seager and

Westwood.

IN ATTENDANCE: Chief Executive Officer (A. Stuart), Deputy Chief

Executive Officer (B. Clancey), Acting General Manager Community Services (J. Tann), General Manager Infrastructure (P. Burton), General Manager Planning & Development (M. Voortman), Chief Financial Officer (A. Oulianoff), Manager Financial Services (J. Scoggins), Commercial Manager Wastewater Infrastructure (C. Reynolds), Senior Strategic Planner (G. Searle), Heritage Consultant (P. Buckberry), Risk & Governance Officer and Minute

Secretary (S. Miller).

The meeting opened with an **Expression of Faith** and **Acknowledgement of Land**.

1. APOLOGIES/LEAVE OF ABSENCE

Apology - Councillor Morrison

2. QUESTIONS FROM THE GALLERY (15 MINUTES)

2.1 <u>Ms Nicole Burton</u> asked questions regarding proposed local heritage listing of a property in Macclesfield.

Mr Marc Voortman General Manager Planning and Development, and heritage consultant, Ms Pippa Buckberry provided responses at the meeting.

3. CONFIRMATION OF THE MINUTES

Moved Councillor Jones that the minutes of the meeting held on 3 May 2021 as circulated to members be confirmed as a true and accurate record of proceedings with the exception of Item 2.3 correction to questioner's name to read Gary Duncan.

Seconded Councillor Bailey

4. CONFLICT OF INTEREST DECLARATION

NIL

5. **DEPUTATIONS**

7.12pm to 7.24pm

5.1 Rockit Performing Arts - Ms Noni Vassos and student, Noah

7.25pm to 7.37pm

5.2 SA Transport Action Group - Mr John Hill

6. QUESTIONS WITH NOTICE

6.1 TITLE: EMPLOYMENT DIVERSITY

DATE: 7 JUNE 2021 FILE NUMBER: DOC/21/84019

Background provided by Councillor Grosser

I had a Question on Notice in July 2018 on Council's employment diversity. The staff response provided an age and gender profile of council staff and outlined council policies and actions to achieve a diverse workforce.

Employment diversity is a key component of Council's Community Plan. Under Action: "Implementing the Plan", in Mount Barker District Council's Community Plan 2020-35, Delivery Guideline One is "Leadership and good governance". The first indicator of this guideline is Diversity and Representation, with its measure being "Greater age, gender and cultural diversity of council staff and elected representatives."

Numerous studies have found that a diverse workforce leads to greater productivity, creativity and innovation, improved job satisfaction and employee retention, better community engagement, inclusion and reputation and better, more balanced decision making through provision of different perspectives and values. Panel discussion sessions at the recent Ozwater 21 Conference in Adelaide, involving representatives of world leading consultancies like Jacobs and the winner of Australasia's Most Innovative Company award, Aurecon, discussed how high performance teams need diversity and the innovations and cultural changes required to achieve it, beyond just policy change.

The Local Government Association from July 1st 2021 will offer a new service, the Human Resources Shared Services Centre. Services offered to councils will include employment diversity policy and frameworks, strategic recruitment, succession planning, unconscious biased training and leadership programs.

Question asked by Councillor Grosser:

- 1) Please provide an update on employment diversity, including a comparison with the 2018 gender and age profile of Council's workforce and further data on the age and gender of senior and middle management, including appointments made since 2018. Please also provide data on mobility compromised, cultural and ethnic diversity, including indigenous people, if available.
- 2) What initiatives has Council undertaken since 2018 to implement the aspirations of the Community Plan and improve employment diversity?
- 3) How many women are currently being mentored for middle or senior management roles within Council?
- 4) Please provide a comparison on employment diversity and diversity key performance indicators with regional peri-urban councils with similar demographics, including Adelaide Hills, Victor Harbor, Alexandrina and Barossa Councils.
- 5) Do staff intend to investigate the services of the new LGA Human Resources Shared Services Centre to determine if appropriate to council's needs?

Councillor Ian Grosser

7 June 2021

Officer Response:

Given the analysis and benchmarking required to answer all the questions posed an officer response may be provided for the July Council meeting – pending further information regarding urgency and need.

Greg Parker

General Manager, Community Services

7. QUESTIONS WITHOUT NOTICE

- 7.1 <u>Councillor Seager</u> asked a question regarding feasibility of increasing funding support to residents under Council's Heritage Incentive Scheme.

 The question was noted for a further response to be provided by council officers.
- 7.2 <u>Councillor Westwood</u> asked questions regarding ownership of, and advertising on, bus stop infrastructure within the District.
 Mr Phil Burton General Manager Infrastructure provided a response at the meeting.

8. MOTIONS ON NOTICE

8.1 TITLE: ARTS PLAN FUNDING \$50K

DATE: 7 JUNE 2021 FILE: DOC/21/84925

Moved Councillor Minett that Council, in the event that the \$25,000 grant application lodged through the Building Better Regions Fund fails, that Council invests \$50,000 in development of an Arts Plan in 21/22.

Seconded Councillor Leach

A formal motion was moved Councillor Westwood that the above motion be deferred until the July Council meeting after community feedback on the draft Annual Business Plan has been considered.

Seconded Councillor Jones

CARRIED 0M20210607.02

8.2 TITLE: CREATIVE ARTS INDUSTRY WORKSHOP FOR ELECTED

MEMBERS, SENIOR STAFF AND COMMUNITY SERVICES STAFF

DATE: 7 JUNE 2021 FILE: DOC/21/85050

Moved Councillor Minett that a workshop for Elected Members, senior staff and relevant Community Services staff be undertaken in the next three months with the purpose of engaging and educating; in relation to the breadth and depth of practice and opportunities in the creative industries and arts industry sector, through presentations and discussion with creative industry professionals who represent a range of experience and knowledge relevant to our council, business and creative sector ecosystem.

Seconded Councillor Leach

CARRIED 0M20210607.03

8.3 TITLE: TRANSPORT PUBLIC FORUM

DATE: 7 JUNE 2021 FILE: DOC/21/86621

Moved Councillor Grosser that the Mount Barker District Council states its support for the South Australian Transport Action Group holding a public forum in Mount Barker to address transport issues, and assists in communicating the event through its social media and web page outlets and any other appropriate means.

Seconded Councillor Orr

9. MOTIONS WITHOUT NOTICE

NIL

8.25pm Councillor Leach left the Chamber

10. PETITIONS

NIL

11. RECOMMENDATIONS FROM ADVISORY COMMITTEES

11.1 STRATEGIC PLANNING & DEVELOPMENT POLICY COMMITTEE - 10 MAY 2021

11.1.1 REPORT TITLE: LOCAL HERITAGE IN TRANSITION DPA

FILE NUMBER: DOC/21/80581

Moved Councillor Westwood that the verbal representations from persons with an interest in the *Local Heritage in Transition Development Plan Amendment* (DPA) be noted and considered along with all representations and submissions when council make their final determination on the DPA.

Seconded Councillor Orr

CARRIED 0M20210607.05

11.2 AUDIT AND RISK COMMITTEE - 20 MAY 2021

11.2.1 REPORT TITLE: 2021/22 DRAFT ANNUAL BUSINESS PLAN,

BUDGET AND RATING POLICY

FILE NUMBER: DOC/21/67516

ATTACHMENTS: DOC/21/63707 DRAFT 2021/22 ANNUAL

BUSINESS PLAN, BUDGET & 2021/22 DRAFT

RATING POLICY

This attachment was provided separately on the

Council website

https://yoursay.mountbarker.sa.gov.au/draft-

2021-22-annual-business-plan1

8.27pm Councillor Leach entered the Chamber and took his chair

Moved Councillor Hardingham that Council:

- 1. consider in future plans and strategies an increase in the target for the net financial liabilities ratio due to the growth nature of Council and the need to achieve inter-generational equity
- 2. note the need for inclusion of the additional 1% rate revenue increase in accordance with the endorsed Treasury Management Policy

- 3. consider strategies to build upon messaging around the proposed rate increase
- 4. seek in future to provide the Audit and Risk Committee with the opportunity to consider the draft Annual Business Plan prior to public consultation.

Seconded Councillor Jones

CARRIED 0M20210607.06

11.2.2 REPORT TITLE: WASTEWATER/RECYCLED WATER – REVISED

LONG TERM FINANCIAL MODELLING

FILE NUMBER: DOC/21/68579

ATTACHMENTS: 1) DOC/21/72064 Key Outputs from the

financial modelling

2) DOC/21/72057 Key assumptions

Moved Councillor Bailey that Council note:

1. the key outputs from the long term financial modelling for wastewater/recycled water (attachment 1) and the associated key assumptions as at 12 May 2021 (attachment 2) and that this information be reviewed and updated by Council annually; and

That Council endorse:

- 2. the timing of the annual review of this information by Council be completed in the second quarter of each financial year so as to inform decision making by Council on the wastewater infrastructure fee and wastewater annual service charges to be applicable for the following financial year and the review of the Long Term Financial Plan
- 3. that as the Council wastewater service is in a rapid growth phase with significant capital investment and borrowing required to achieve ongoing service delivery and additional short and long term revenues, Council decision making should be preceded by the consideration of business cases and prudential reports with subsequent regular reporting to Council on the implementation of such investment decisions
- 4. the business case for the sewer main from Hampden Road to the wastewater treatment plant and inlet pump station dated 1 February 2021 as previously reviewed by the Audit and Risk Committee.

Seconded Councillor Jones

11.2.3 REPORT TITLE: PROPOSED PROCESS FOR THE APPOINTMENT

OF EXTERNAL AUDITORS

FILE NUMBER: DOC/21/71327

ATTACHMENTS: NIL

Moved Councillor Hardingham that Council endorse that the process for the appointment by Council of a new external auditor as follows:

- 1. Procurement to be through a select tender call
- 2. The proposed term of appointment to be recommended by the selection panel commencing Financial Year 2022
- 3. The tender assessment panel shall be responsible for the preparation of the brief and the tender assessment plan which is to occur in consultation with the CEO
- 4. The tender assessment panel is to provide a recommendation for the appointment of the external auditor to the CEO
- 5. The CEO will shall provide a recommendation to the Audit and Risk Committee who in turn shall provide a recommendation to Council for the appointment of the external auditor; and
- 6. The tender assessment panel shall comprise:
 - a) the Audit and Risk Committee chair Michele Bennetts
 - b) Chief Financial Officer; and
 - c) A nominee of the Chief Executive Officer.

Seconded Councillor Leach

CARRIED 0M20210607.08

12. REPORTS

12.1 REPORT TITLE: ADOPTION OF 2021/22 FEES AND CHARGES

REGISTER

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/71191

ATTACHMENTS: ATTACHMENT 1. DOC/21/71325 - 2021/22

DRAFT REGISTER OF FEES & CHARGES

Moved Councillor Leach that Council:

- adopts the 2021/22 Register of Fees and Charges for fees and charges set by Council and under delegation as attached; and
- notes statutory fees and charges set by the State Government will be included in the fees and charges schedule available for public inspection subsequent to gazettal by State Government.

Seconded Councillor Westwood

12.2 REPORT TITLE: COMMUNITY DEVELOPMENT LEAD STRATEGY

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/66953

ATTACHMENTS: ATTACHMENT 1: DOC/20/145787, COMMUNITY

DEVELOPMENT LEAD STRATEGY (FINAL) FOR

ENDORSEMENT

ATTACHMENT 2: DOC/21/23727, SUMMARY OF COMMUNITY FEEDBACK AND AMENDMENTS TO

DRAFT PLAN

Moved Councillor Orr that Council:

1. note the community feedback received and the summary of consultation contained in Attachment 2; and

2. endorse the Community Development Lead Strategy in Attachment 1.

Seconded Councillor Minett

CARRIED 0M20210607.10

12.3 REPORT TITLE: PERIODICAL ELECTOR REPRESENTATION

REVIEW – IN PRINCIPLE PREFERRED STRUCTURE AND COMPOSITION DRAFT REPORT FOR COMMUNITY CONSULTATION

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/80178

ATTACHMENTS: 1. DOC/21/85451 DRAFT PERIODICAL ELECTOR

REPRESENTATION REPORT - COMPOSITION

AND STRUCTURE OF COUNCIL - FOR

CONSULTATION

Moved Councillor Seager that Council Pursuant to Sections 12 (7) & (8) of the Local Government Act:

- receive the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant (attachment 1)
- 2. endorse the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent to be subject to a 5 week public consultation period 9 June 2021 to 14 July 2021
- note minor formatting and grammatical changes may be made to the draft Periodical Elector Representation Review Report prior to it being published for public consultation; and

4. note a public meeting will be held on Monday 19 July 2021 from 5.30pm for those who wish to be heard.

Seconded Councillor Bailey

CARRIED 0M20210607.11

12.4 REPORT TITLE: SOUTHERN AND HILLS LOCAL GOVERNMENT

ASSOCIATION EXEMPTION FOR AUDIT

COMMITTEE

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/79662

ATTACHMENTS: 1. DOC/21/84089 – SHLGA BOARD AUDIT

COMMITTEE EXEMPTION REPORT

Moved Councillor Westwood that Council supports a request to the Minister for Local Government for the Southern and Hills Local Government Association to retain its exemption from the requirement to establish an Audit Committee for up to a period of 5 years.

Seconded Councillor Jones

CARRIED 0M20210607.12

12.5 REPORT TITLE: SOUTHERN AND HILLS LOCAL GOVERNMENT

ASSOCIATION BUDGET, SUBSCRIPTION FEES

AND 4 YEAR BUSINESS PLAN 2021-2025

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/20/83529

ATTACHMENTS: 1. DOC/21/83590 DRAFT BUDGET 2021/22

2. DOC/21/83592 COUNCIL MEMBERSHIP

CONTRIBUTIONS FOR 2021/22

3. DOC/21/84106 VALUE PROPOSITION REPORT

TO SHLGA BOARD

Moved Councillor Westwood that Council notify the Southern & Hills Local Government Association that Council:

- 1. notes the Value Proposition report to the SHLGA Board (attachment 3)
- 2. approves the draft SHLGA budget and subscription fee for 2021/22 (attachments 1 and 2); and
- notes the preparation of the draft SHLGA Business Plan 2021-2025.

Seconded Councillor Jones

Moved Councillor Seager that Council's disappointment in the ongoing vacancy of the Regional Climate Change officer position for 2021-2022 be conveyed to the SHLGA Board and consider funding from constituent councils be sought to fill this position.

Seconded Councillor Westwood

CARRIED 0M20210607.14

12.6 REPORT TITLE: LOCAL HERITAGE IN TRANSITION

DEVELOPMENT PLAN AMENDMENT (DPA)

DATE OF MEETING: 7 JUNE 2021
FILE NUMBER: DOC/21/73140

ATTACHMENTS: 1 DOC/21/79994 DEVELOPMENT PLAN

AMENDMENT

2 DOC/21/72943 SUMMARY OF CONSULTATION

AND PROPOSED AMENDMENTS REPORT

All attachments were provided separately on the

Council website

9.14pm Councillor Hardingham left the Chamber

9.16pm Councillor Hardingham entered the Chamber and took her chair

Moved Councillor Westwood that Council:

- 1. endorse and forward the Local Heritage in Transition DPA (Attachment 1) to the Minister for Planning seeking approval for the DPA
- 2. authorise the Chief Executive Officer (CEO) to sign Schedule 4B of the Development Regulations 2008 stating that the Local Heritage in Transition DPA is suitable for presentation to the Minister for Planning for approval; and
- authorise the CEO or nominee to undertake any administrative or grammatical amendments to the Local Heritage in Transition DPA (Attachment 1).

Seconded Councillor Orr

CARRIED 0M20210607.15

12.7 REPORT TITLE: COUNCIL SUBMISSION TO HAHNDORF

TOWNSHIP STRATEGIC TRAFFIC STUDY

OUTCOMES

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/72446

ATTACHMENTS: 1. DOC/21/72960 COUNCIL SUBMISSION

2. DOC/21/64714 CONSULTATION BROCHURE

Moved Councillor Hardingham that Council endorse:

- the lodgement of the submission (Attachment 1) to the Department of Infrastructure and Transport community consultation for the Hahndorf Township Strategic Traffic Study Outcomes; and
- administration to work with the Department of Infrastructure and Transport in developing their concept plans including advocating for the Hahndorf Main Street Revitalisation to be included in the scope of work.

Seconded Councillor Westwood

CARRIED 0M20210607.16

12.8 REPORT TITLE: REVISED TRADE WASTE POLICY

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/56365

ATTACHMENTS: DOC/21/17512 - MBDC Trade Waste Policy

2021

9.23pm Councillor Orr left the Chamber 9.26pm Councillor Orr entered the Chamber and took his Chair

Moved Councillor Grosser that Council:

1. approve the updated Trade Waste Policy (Attachment 1); and

2. note Council will undertake a targeted communication engagement process that involves all premises that discharge trade waste.

Seconded Councillor Jones

CARRIED 0M20210607.17

12.9 REPORT TITLE: WARD DONATIONS

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/20/76036

ATTACHMENTS: NIL

Moved Councillor Orr that Council will make the following donations, given that each Member nominating the donation has given careful consideration to whether there is a conflict of interest:

| Council Member | Amount | Group/Individual/Purpose |
|------------------|--------|------------------------------------|
| Councillor Orr | \$128 | Mount Barker Pageant Committee |
| Councillor Leach | \$100 | Rockit Performing Arts – June Free |
| | | Concert |
| Councillor Leach | \$100 | Littlehampton Community |
| | | Association – SALA August |

| | Ι. | T |
|-----------------------|-------|---------------------------------------|
| Councillor Leach | \$100 | Nairne Landcare Group (Goolwa to |
| | | Wellington LAP) – North Creek project |
| Councillor Grosser | \$750 | SA Transport Group – Hire |
| | | Auchendarroch Cinema 1 for public |
| | | forum on 6 July |
| Councillor Grosser | \$228 | Mount Barker Community Centre - |
| | | Duck Flat Community Garden for tool |
| | | replacements, repairs and security |
| Councillor Minett | \$100 | Macclesfield Bushcare |
| Councillor Minett | \$100 | Wistow Hall |
| Councillor Minett | \$78 | Meadows RSL |
| Councillor Minett | \$50 | Prospect Hill Hall |
| Councillor Minett | \$50 | Harmummies |
| Councillor Minett | \$50 | Echunga Scout Group |
| Councillor Minett | \$50 | Prospect Hill Scout Group |
| Councillor Hardingham | \$228 | Mount Barker Pageant Committee |
| Councillor Jones | \$128 | Rockit Performing Arts |
| Councillor Jones | \$100 | Native Animal Network SA |
| Councillor Seager | \$250 | Harrogate Hall – assistance to |
| | | purchase a defibrillator |
| Councillor Seager | \$150 | Littlehampton Community |
| | | Association to assist with expenses |
| Councillor Seager | \$128 | Nairne Landcare Group to assist with |
| | | project development |
| Councillor Westwood | \$100 | Rockit Performing Arts |
| Councillor Westwood | \$128 | Nairne & Districts Residents' |
| | | Association |
| Councillor Bailey | \$128 | Salvation Army towards |
| | | Homelessness |
| Councillor Bailey | \$150 | SA Transport Group to assist with |
| | | expenses incurred |
| | • | • |

Seconded Councillor Jones

CARRIED 0M20210607.18

13. INFORMATION REPORTS

Moved Councillor Bailey that the following information reports be noted enbloc.

13.1 REPORT TITLE: NATIONAL GROWTH AREAS ALLIANCE UPDATE

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/76833

13.2 REPORT TITLE: 2020/21 FINANCIAL YEAR GROWTH UPDATE

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/79991

13.3 REPORT TITLE: FOOD SYSTEMS MAPPING PROJECT

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/78464

13.4 REPORT TITLE: REGIONAL PUBLIC HEALTH PLAN - PROGRESS

REPORT

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/73027

13.5 REPORT TITLE: SUMMIT SPORT AND RECREATION PARK (SSRP)

BOARD - NON-EXCLUSIVE LICENCE EXECUTION

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/73577

Seconded Councillor Orr CARRIED

0M20210607.19

14. QUARTERLY REPORTS

Moved Councillor Orr that the following information reports be noted enbloc.

14.1 REPORT TITLE: 3RD QUARTER REPORT ON ANNUAL BUSINESS

PLAN 2020/21 PERFORMANCE MEASURES

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/59920

ATTACHMENTS: 1 - DOC/21/59833 ANNUAL BUSINESS PLAN

2020/21 KEY ACTIONS AND PERFORMANCE

MEASURES

14.2 REPORT TITLE: QUARTERLY WASTEWATER REPORT

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/76597

Seconded Councillor Westwood

CARRIED 0M20210607.20

15. MAYOR'S REPORT

- Informal Gathering Adelaide Hills Tourism
- Office duties
- Hills Family Church Neutron Community Meeting
- Australian Lavender Growers' Association Conference Opening
- CEO Performance Review panel meeting
- ICLEI meetings
- Meeting with Ivan Copley OAM
- Business Fibre Zones Launch Breakfast
- Mt Barker Safety Hub opening
- Aldi pickups

- Soccer Coin Toss Summit Sports and Recreation Park
- Informal Gathering Training Roles and Responsibilities
- Briefing Local Transition Development Plan
- SA Rural Nursing and Midwifery Workforce Plan
- Meeting with RSL committee members
- NGAA Federal Budget Briefing

16. MEMBERS' REPORTS

Councillor Minett

- Volunteer Duck Flat
- 'Haven' launch community centre
- Resident Meeting Macclesfield
- Volunteer Farmers market
- Planting out park Echunga
- Resident Mtg. Macclesfield
- Volunteer Duck Flat
- Inspect damage Crystal Lake
- Biggest Morning Tea Macclesfield
- Resident Meeting Macclesfield
- Informal gathering Chambers
- Resident Meeting Macclesfield
- Meeting with staff offices
- Reconciliation Sculpture unveiling Laratinga
- Informal gathering Chambers
- Meeting with staff
- Resident Meeting Macclesfield
- Volunteer Duck Flat
 Volunteer Farmers Market
- Resident Meeting Macclesfield

17. QUESTIONS ARISING FROM COUNCIL MEETING

17.1 <u>Ms Debbie McKay</u> asked questions regarding Item 13.4 Regional Public Health Plan Update Report regarding COVID-19 pandemic and disability initiatives.

Mr Jamie Tann, Acting General Manager Community Services provided a response at the meeting.

17.2 <u>Mr Nathan Rogers</u> asked questions regarding deferral of Item 8.1 Arts Plan Funding Request.

Mr Andrew Stuart Chief Executive Officer provided responses at the meeting and took a question on notice for a response to be provided by council officers.

18. CONFIDENTIAL REPORTS

18.1. REPORT TITLE: CONFIDENTIAL REPORT: KERBSIDE WASTE

CONTRACT - PROCESSING OF RECYCLABLES

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/80371

Moved Councillor Westwood that Council:

Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders
that all members of the public except the Chief Executive Officer, Deputy Chief
Executive Officer/General Manager Wastewater/Recycled Water, General
Manager Infrastructure, General Manager Planning and Development, Acting
General Manager Community Services, Chief Financial Officer, Commercial
Manager Wastewater Infrastructure, Risk & Governance Officer and Minute
Secretary be excluded from attendance at the meeting for Agenda Item
Kerbside Waste – Processing of Recyclables.

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 this 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 proposing to conduct business and would prejudice the commercial position of the Council.

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 a Council decision has not yet been made in relation to the advice and its subject matter.

Seconded Councillor Leach

CARRIED 0M20210607.21

Moved Councillor Westwood that Council:

Pursuant to Section 91(7)

6. That having considered Agenda Item Kerbside Waste – Processing of Recyclables in confidence under 90(2) and 3(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the discussion, report, attachments and all minutes be retained in confidence until council has concluded negotiation and executed the associated documentation on all of the matters outlined below or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Jones

18.2 REPORT TITLE: CONFIDENTIAL ITEM:

NAIRNE WASTEWATER INFRASTRUCTURE PROPOSED UPGRADING AND EXPANSION:

BUSINESS CASE

DATE OF MEETING: 7 JUNE 2021 FILE NUMBER: DOC/21/55705

Moved Councillor Westwood that Council:

Section 90 (3) (b) Order

1. Pursuant to Section 90(3)(b)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer; Deputy Chief Executive Officer/General Manager Wastewater/Recycled Water; General Manager, Infrastructure; Acting General Manager Council Services; General Manager Planning and Development; Chief Financial Officer, Commercial Manager, Wastewater, Governance an Risk Officer and Minute Secretary be excluded from attendance at the meeting for Agenda Item Nairne Wastewater Infrastructure Proposed Upgrading and Expansion: Business Case.

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 this 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 and proposing to conduct business; and would 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 continued non-disclosure of this 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 disclosure of Council's commercial position may prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to procurement and contract negotiations.

Moved Councillor Westwood that Council:

Section 91(7) Order

4. Pursuant to Section 90 (3) (b)

That having considered the Agenda Item Nairne Wastewater Infrastructure Proposed Upgrading and Expansion: Business Case in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the agenda item and attachments, related documents and all minutes be retained in confidence until Wastewater Commitment Deeds have been executed by both parties over all of the greenfields sites shown in attachment 2 and the procurement of all stage 1 works has occurred, or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months.

| Seconded Councillor Seager | CARRIED 0M20210607.26 |
|----------------------------|--------------------------|
| MEETING DECLARED CLOSE | ED AT 10.29PM |
| MAYOR | DATF |