

CONFIDENTIAL ITEMS 2003 – OCTOBER 2017

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
121	3 October 2017	Tender Evaluation for the Management of Adelaide Hills Recreation Centre and Mount Barker Mountain Pool	<p>Section 90 (3) (b) Order Pursuant to Section 90(3)(b)</p> <p>1. 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 Infrastructure and Projects, General Manager Corporate Services, General Manager Council Services, Manager Planning Policy and Strategy, Building and Recreation Manager, Strategic Projects Manager and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 (Tender Evaluation for the Management of the Adelaide Hills Recreation Centre and Mt Barker Mountain Pool).</p> <p>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 would prejudice the commercial position of the Council.</p> <p>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</p>	That the discussion, report, attachments and all minutes remain confidential.	<p>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 would prejudice the commercial position of the Council.</p> <p>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</p>	Until 4 weeks following the execution of the contracts for both the AHRC and Mt Barker Mountain Pool or such lesser period as may be determined by the Chief Executive Officer.		3 Sep 18	<i>Minutes released on website 13 October 2017</i>

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			<p>open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely 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 other contract negotiations.</p> <p>6. Pursuant to Section 91(7) that having considered Agenda Item 18.1 (Tender Evaluation for the Management of the Adelaide Hills Recreation Centre and Mt Barker Mountain Pool) 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 remain confidential until 4 weeks following the execution of the contracts for both the AHRC and Mt Barker Mountain Pool or such lesser period as may be determined by the Chief Executive Officer.</p>		<p>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 severely 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 other contract negotiations.</p>				
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18. CONFIDENTIAL REPORTS

18.1	REPORT TITLE:	CONFIDENTIAL REPORT – TENDER EVALUATION FOR THE MANAGEMENT OF ADELAIDE HILLS RECREATION CENTRE AND MOUNT BARKER MOUNTAIN POOL
	DATE OF MEETING:	3 OCTOBER 2017
	FILE NUMBER:	FOL/17/795 DOC/17/93249
	ATTACHMENTS:	Nil

Moved Councillor Campbell that Council:

Section 90 (3) (b) Order

Pursuant to Section 90(3)(b)

1. 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 Infrastructure and Projects, General Manager Corporate Services, General Manager Council Services, Manager Planning Policy and Strategy, Building and Recreation Manager, Strategic Projects Manager and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 (Tender Evaluation for the Management of the Adelaide Hills Recreation Centre and Mt Barker Mountain Pool).

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 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 severely 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 other contract negotiations.

Seconded Councillor Morrison

CARRIED
OM20171003.07

Moved Councillor Campbell that Council:

2. Approves Belgravia Leisure as the recommended tenderer for management services at both the Adelaide Hills Recreation Centre (AHRC) and Mt Barker Mountain Pool (MBMP).
3. Authorises staff negotiating contract terms (including a 3 + 2 year term) with Belgravia Leisure for the AHRC with appropriate KPIs and performance incentives.
4. Authorises staff negotiating contract terms (including a 3 + 2 year term) with Belgravia Leisure for the MBMP with appropriate KPIs and performance incentives.
5. Authorises the CEO and Mayor to execute contracts for both sites following successful negotiation of terms.

Seconded Councillor Buchmann

CARRIED
OM20171003.08

Moved Councillor Buchmann that:

Section 91(7) Order

6. Pursuant to Section 91(7) that having considered Agenda Item 18.1 (Tender Evaluation for the Management of the Adelaide Hills Recreation Centre and Mt Barker Mountain Pool) 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 remain confidential until 4 weeks following the execution of the contracts for both the AHRC and Mt Barker Mountain Pool or such lesser period as may be determined by the Chief Executive Officer.

Seconded Councillor Morrison

CARRIED
OM20171003.09