CONFIDENTIAL ITEMS 2003 – OCTOBER 2017

#	Date	Item Title	Confidential Order Details	Item being	Reason	Resolution	Last	Next	Date
				kept	regarding	Regarding Action	Review	Review	Released
				confidential	retention or		Date	Date	
				- Agenda/	recommend-				
				Attachment/	action to				
				Minutes	release				

121	3 October	Tender	Section 90 (3) (b) Order	That the	The Council is	Until 4 weeks following the	3 Sep 18	Minutes
	2017	Evaluation for	Pursuant to Section 90(3)(b)	discussion,	satisfied that	execution of the contracts		released on
			1. Pursuant to Section 90(2) of the Local	report,	pursuant to	for both the AHRC and Mt		website 13
		the	Government Act 1999 the Council orders	attachments and	Section 90(3)(b) of	Barker Mountain Pool or		October 2017
		Management	that all members of the public except the	all minutes	the Act, the	such lesser period as may		October 2017
		of Adelaide	Chief Executive Officer, Deputy Chief	remain	information to be	be determined by the Chief		
		Hills	Executive Officer / General Manager	confidential.	received,	Executive Officer.		
			Infrastructure and Projects, General		discussed or			
		Recreation	Manager Corporate Services, General		considered in			
		Centre and	Manager Council Services, Manager		relation to this			
		Mount Barker	Planning Policy and Strategy, Building and		Agenda item is			
		Mountain Pool	Recreation Manager, Strategic Projects		information the			
		I Wouldan I Ool	Manager and Minute Secretary be		disclosure of			
			excluded from attendance at the meeting		which would			
			for Agenda Item 18.1 (Tender Evaluation		prejudice the			
			for the Management of the Adelaide Hills		commercial			
			Recreation Centre and Mt Barker Mountain		position of the			
			Pool).		Council.			
			The Council is satisfied that pursuant to	· ·	In addition the			
			Section 90(3)(b) of the Act, the information		disclosure of this			
			to be received, discussed or considered in		information would,			
			relation to this Agenda item is information		on balance, be			
			the disclosure of which would prejudice the		contrary to the			
			commercial position of the Council.		public interest.			
					The public interest			
			In addition the disclosure of this information		in public access to			
			would, on balance, be contrary to the		the meeting has			
			public interest. The public interest in public		been balanced			
			access to the meeting has been balanced		against the public			
			against the public interest in continued		interest in			
			non-disclosure of this information. The		continued non-			
			benefit to the public at large resulting from		disclosure of this			
			withholding the information outweighs the		information. The			
			benefit to it of disclosure of the information.		benefit to the			
			The Council is satisfied that the principle		public at large			
			that the meeting be conducted in a place		resulting from			

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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
			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. 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.		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 costeffective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.				

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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 0M20171003.07

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 0M20171003.08

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 0M20171003.09