

MINUTES OF THE MEETING of the Mount Barker District Council held in the Laratinga Pavilion of the Spring Road, Mount Barker on Monday 4 December 2023 at 7pm.

PRESENT Deputy Mayor Harry Seager (Presiding Member), Councillors Grosser, Harding, Hardingham, Hewett, Jones, Orr, Szilassy, Voogt and Westwood.

IN ATTENDANCE: Chief Executive Officer (A. Stuart), General Manager Infrastructure (P. Burton), General Manager Planning and Community (M. Voortman), Head of Wastewater (H. Edmonds), General Manager Corporate Services (A. Oulianoff), Executive Manager (A. Hancock) and the Minute Secretary (R. Jeisman).

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

**1. APOLOGIES/LEAVE OF ABSENCE**

Moved Councillor Jones that Mayor Leach be granted a leave of absence for the 4 December 2023 Council Meeting.

Seconded Councillor Voogt

CARRIED  
OM20231204.01

**2. QUESTIONS FROM THE GALLERY (15 MINUTES)**

NIL

**3. CONFIRMATION OF THE MINUTES**

**3.1** Moved Councillor Orr that the minutes of the meeting held on 6 November 2023 as circulated to members be confirmed as a true and accurate record of proceedings.

Seconded Councillor Jones

CARRIED  
OM20231204.02

**3.2** Moved Councillor Westwood that the minutes of the meeting held on 13 November 2023 as circulated to members be confirmed as a true and accurate record of proceedings.

Seconded Councillor Szilassy

CARRIED  
OM20231204.03

#### 4. **CONFLICT OF INTEREST DECLARATION**

##### 4.1 **Disclosure of Material Conflict of Interest Declaration**

**Date of Meeting** : 4 December 2023  
**Councillor Name** : Councillor Jones  
**Matter to be Discussed** : 18.2 Confidential Item: Summit Precinct and Regional Aquatic & Leisure Centre Operator EOI  
**Nature of Interest** : Councillor Jones declared a material conflict of interest due to a family member employed on a casual basis with a listed EOI operator.  
Council Jones also declared a material conflict of interest due to business interested with a listed EOI operator.  
Councillor Jones will leave the meeting and will not participate in the vote.

**4.2 Date of Meeting** : 4 December 2023  
**Councillor Name** : Councillor Szilassy  
**Matter to be Discussed** : 13.2 South Australian Public Health Act 2011 Annual Report 2022/23  
**Nature of Interest** : Councillor Szilassy declared a material conflict of interest due to her employer being the State Government and will leave the meeting and will not participate in the vote.

**4.3 Date of Meeting** : 4 December 2023  
**Councillor Name** : Councillor Harding  
**Matter to be Discussed** : 13.3 Blackspot Road Safety Grant Funding Update  
**Nature of Interest** : Councillor Harding declared a material conflict of interest due to connections with a road of interest and will leave the meeting and will not participate in the vote.

##### 4.4 **Disclosure of General Conflict of Interest Declaration**

**Date of Meeting** : 4 December 2023  
**Councillor Name** : Councillor Harding  
**Matter to be Discussed** : 18.1 Allocate 2024 Citizen of the Year Award Recipients  
**Nature of Interest** : Councillor Harding declared a general conflict of interest due to personal connections with several nominees and will leave the meeting and will not participate in the vote.



**5. DEPUTATIONS**

- 5.1** Sheila Kavanagh, Echunga, representative from the Echunga Community Association presented a deputation regarding the Echunga Main Street Upgrade.  
7:06pm to 7:09pm

**6. QUESTIONS WITH NOTICE**

NIL

**7. QUESTIONS WITHOUT NOTICE**

NIL

**8. MOTIONS ON NOTICE**

NIL

**9. MOTIONS WITHOUT NOTICE**

NIL

**10. PETITIONS**

NIL

**11. RECOMMENDATIONS FROM COMMITTEES**

**11.1 AUDIT AND RISK COMMITTEE – 23 NOVEMBER 2023**

- 11.1.1**
- |                         |  |
|-------------------------|--|
| <b>REPORT TITLE:</b>    | <b>MINUTES OF SECTION 41 COMMITTEE – AUDIT AND RISK COMMITTEE MEETING 23 NOVEMBER 2023</b> |
| <b>DATE OF MEETING:</b> | <b>23 NOVEMBER 2023</b>  |
| <b>FILE NUMBER:</b>     | <b>DOC/23/156720</b>   |
| <b>ATTACHMENTS:</b>     | <b>ARC MEETING MINUTES 23 NOVEMBER 2023</b>  |

Moved Councillor Voogt that Council receive and note the minutes of the Audit and Risk Committee meeting held 23 November 2023 as circulated to Council Members and available on the Audit and Risk Committee page of Council's website.

Seconded Councillor Westwood

CARRIED  
OM20231204.04

**11.1.2**            **REPORT TITLE:**            **AUDIT AND RISK COMMITTEE WORK PLAN AND MEETING SCHEDULE 2024**  
**DATE OF MEETING:**        **23 NOVEMBER 2023**  
**FILE NUMBER:**            **DOC/23/156720**  
**ATTACHMENTS:**          **DOC/23/154584 – WORK PLAN AND MEETING DATES**

Moved Councillor Westwood that:

1. the Audit and Risk Committee meet at 8am on the following dates in 2024 noting the meeting dates are subject to change, including if any additional meetings are required: 25 January 2024, 21 March 2024, 9 May 2024, 20 June 2024, 22 August 2024, 24 October 2024, 12 December 2024
2. the draft Work Plan for the Audit and Risk Committee for 2024 (attached) be adopted, noting the meeting dates and schedule are subject to change, including if any additional meetings are required.

Seconded Councillor Harding

CARRIED  
OM20231204.05

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**11.1.3**            **REPORT TITLE:**            **REVIEW OF FINANCE POLICIES – FUNDING POLICY; BUDGET MANAGEMENT POLICY; INDIRECT DEVELOPER CONTRIBUTIONS – FUNDS MANAGEMENT POLICY; SEPARATE RATE – DEVELOPER CONTRIBUTIONS: PAYMENT, REBATE, POSTPONEMENT POLICY**  
**DATE OF MEETING:**        **23 NOVEMBER 2023**  
**FILE NUMBER:**            **DOC/23/148821**  
**ATTACHMENTS:**          **1: DOC/23/81503 – FUNDING POLICY**  
**2: DOC/23/148819 - BUDGET MANAGEMENT POLICY**  
**3: DOC/23/81505 - INDIRECT DEVELOPER CONTRIBUTION POLICY**  
**4: DOC/23/81506 - SEPARATE RATE – DEVELOPER CONTRIBUTIONS: PAYMENT, REBATE, POSTPONEMENT POLICY**

Moved Councillor Orr that the following policies be adopted as amended following feedback from the Audit and Risk Committee:

3. Indirect Developer Contributions – Funds Management Policy
4. Separate Rate – Developer Contributions, Payment, Rebate

Seconded Councillor Jones

CARRIED  
OM20231204.06



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<b>11.1.4</b>	<b>REPORT TITLE:</b>	<b>UPDATE TO TREASURY MANAGEMENT POLICY</b>
	<b>DATE OF MEETING:</b>	<b>23 NOVEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/135393</b>
	<b>ATTACHMENTS:</b>	<b>1: DOC/23/37534 MOUNT BARKER DISTRICT COUNCIL TREASURY MANAGEMENT POLICY – ADOPTED MAY 2023</b>
		<b>2: DOC/23/103195 LTFP KEY FINANCIAL INDICATORS</b>
		<b>3: DOC/23/105498 PROPOSED REVISED KEY FINANCIAL INDICATORS</b>
		<b>4: DOC/23/154865 REVISED TREASURY MANAGEMENT POLICY</b>

Moved Councillor Westwood that Council adopts the updated Treasury Management Policy as presented in attachment 4 that includes revised Key Financial Indicators.

Seconded Councillor Szilassy

CARRIED  
OM20231204.07

## **12.        REPORTS**

<b>12.1</b>	<b>REPORT TITLE:</b>	<b>CUSTOMER EXPERIENCE STRATEGY</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/146161</b>
	<b>ATTACHMENT:</b>	<b>1: DOC/23/154665 – DRAFT MOUNT BARKER DISTRICT COUNCIL CUSTOMER EXPERIENCE STRATEGY 2024-2027</b>

Moved Councillor Orr that Council endorse the Customer Experience Strategy (attachment 1).

Seconded Councillor Hewett

CARRIED  
OM20231204.08

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<b>12.2</b>	<b>REPORT TITLE:</b>	<b>CLOSURE OF A PORTION OF SIMS RD, MOUNT BARKER TO THROUGH TRAFFIC</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/129458</b>
	<b>ATTACHMENTS:</b>	<b>1: DOC/23/70078 MAP OF SIMS ROAD CLOSURE</b>
		<b>2: DOC/23/143279 CONSULTATION SUMMARY</b>

Moved Councillor Hewett that Council:



1. Notes the results of community consultation shown in Attachment 2, and;
2. Pursuant to Section 32(1)(b) of the Road Traffic Act 1961, approve the closure of Sims Rd to vehicular traffic (authorised and emergency vehicles exempted) from 30 metres West of Merion Close to 125 metres West of Harper Road and install traffic control devices to preclude access as shown on Attachment 1.

Seconded Councillor Grosser

CARRIED  
OM20231204.09

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<b>12.3</b>	<b>REPORT TITLE:</b>	<b>ROAD OPENING 36 PRINCES HIGHWAY KANMANTOO</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/131226</b>
	<b>ATTACHMENTS:</b>	<b>1: Doc/23/154854 LOCATION PLAN 2: Doc/23/154851 LETTER FROM MELLOR OLSSON 3: Doc/23/154857 PRELIMINARY PLAN</b>

Moved Councillor Westwood that Council:

1. Pursuant to Section 10 of the Roads (Opening & Closing) Act 1991 commences a Road Process to open a portion of Princes Highway adjoining 36 Princes Highway Kanmantoo LOT: 42 FP: 161072 on the Preliminary Plan shown in attachment 3 of this report.
2. Gives delegation to the General Manager Corporate Services to execute all documents required for completion of the road closure and the transfer of the subject land.

Seconded Councillor Harding

CARRIED  
OM20231204.10

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<b>12.4</b>	<b>REPORT TITLE:</b>	<b>SECTION OF THE CONNECTOR ROAD TO BE CONSTRUCTED ON COUNCIL ROAD RESERVE</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/149015</b>
	<b>ATTACHMENTS:</b>	<b>1: DOC/23/156256 – HAINES RD/MARTIN RD 2: DOC/23/156263 – CONNECTOR ROAD TYPICAL CROSS SECTION</b>

Moved Councillor Hewett that Council:

1. Authorise the Chief Executive Officer or nominee to finalise and execute arrangements and documentation to enable the completion of the survey, design and construction of a short section of the connector road (Heysen Boulevard) located in a council road reserve as outlined in this agenda item and shown in attachment 1;
2. Authorise the total cost for the completion of this section of the connector road to be fully funded from and acquitted against the reserve account containing revenue that council has received from developers within the area of the 2010 Ministerial Development Plan Amendment for the purposes of upgrading transport infrastructure that is required due to growth; and
3. Note that once the actual total project cost is known (i.e. upon project completion), the cost will be reflected in the next council budget review.

Seconded Councillor Harding

CARRIED  
OM20231204.11

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<b>12.5</b>	<b>REPORT TITLE:</b>	<b>ECHUNGA MAIN STREET UPGRADE – FINAL CONCEPT DESIGN AND CONSULTATION SUMMARY</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/138907</b>
	<b>ATTACHMENTS:</b>	<b>1: DOC/23/152799 ECHUNGA MAIN STREET UPGRADE – FINAL CONCEPT DESIGN</b> <b>2: DOC/23/137155 CONCEPT DESIGN - SUMMARY OF CONSULTATION AND PROPOSED AMENDMENTS (SCPA) TABLE</b>

Moved Councillor Hewett that Council:

1. Note the feedback provided by the Community on the draft concept design for the Echunga Main Street Upgrade and how this feedback has been responded to and incorporated into the final concept design.
2. Endorse the final concept design for the upgrade of the Echunga main street contained within 'Attachment 1 – Echunga Main Street Upgrade – Final Concept Design', noting that staff will now commence the next design phase of the project.

Seconded Councillor Orr

CARRIED  
OM20231204.12

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**12.6**            **REPORT TITLE:**            **UPDATE TO AWARD OF PUBLIC CONVENIENCE  
CLEANING CONTRACT**  
**DATE OF MEETING:**        **4 DECEMBER 2023**  
**FILE NUMBER:**            **DOC/23/15362**

Moved Councillor Westwood that Council:

1. Rescinds recommendations 2 and 3 of item 12.3 Award of Public Convenience Cleaning Contract of Council Meeting held on the 3 October 2023, resolution number OM20231003.06 which recommended:

*Authorises the award of the contract 2022.026 for the provision of Public Convenience Cleaning Services to Pickwick Group Pty Ltd ("Preferred Tenderer") for the lump sum amount of \$280,615.27 p/a (excluding GST) for 3 years with the option of 2 additional years at council's discretion and additional cleans at the Preferred Tenderer's tendered schedule of rates.*

*Authorises the Chief Executive Officer or his delegated officer being the General Manager Infrastructure to execute contract documents between Council and the Preferred Tenderer.*

2. Authorises the Chief Executive Officer or his delegated officer being the General Manager Infrastructure to negotiate and execute contract documents pertaining to contract 2022.026 Public Convenience Cleaning Services under operational delegations.

Seconded Councillor Orr

CARRIED  
OM20231204.13

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**12.7**            **REPORT TITLE:**            **WARD DONATIONS**  
**DATE OF MEETING:**        **4 DECEMBER 2023**  
**FILE NUMBER:**            **DOC/23/73346**

Moved Councillor Voogt 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:

<b>Council Member</b>	<b>Amount</b>	<b>Group/Individual</b>
Councillor Szilassy	\$100	Callington Primary School - assistance with MRASA Toy Run BBQ costs
Councillor Szilassy	\$75	Brukung Community Association - contribution to the Brukung Community Association's first Christmas Family Day





Councillor Szilassy	\$150	Nairne & Districts Residents' Association (NDRA) - to assist with upcoming Community Carols event
Mayor Leach	\$150	Callington Primary School - assistance with MRASA Toy Run BBQ costs
Councillor Jones	\$100	Friends of the Mount Barker Library - assistance with Twilight Market Makerspace Stand.
Councillor Jones	\$100	Lions Medical Research Foundation - assist with Special Children's Christmas Big Day Out
Councillor Jones	\$100	Callington Primary School - assistance with MRASA Toy Run BBQ costs
Councillor Voogt	\$100	Macclesfield Community Association - assistance with Food Pantry Christmas Dinner
Councillor Voogt	\$100	Macclesfield Community Association - assistance with Community Carols
Councillor Hewett	\$100	Macclesfield Community Association - assistance with Community Carols
Councillor Hewett	\$150	Echunga Community Association - assistance their Christmas event
Councillor Hardingham	\$150	Macclesfield Community Association - assistance with Community Carols
Councillor Hardingham	\$150	Hahndorf Community Association Assistance with crochet tree
Councillor Hardingham	\$150	Echunga Community Association - assistance with Christmas Event
Councillor Grosser	\$100	Mount Barker CFS - assistance with Brigade Volunteer's Christmas festivities
Deputy Mayor Seager	\$125	Brukunga Community Association - contribution to inaugural Christmas Family Day
Deputy Mayor Seager	\$50	Nairne & District Residents Association - to assist with upcoming Community Carols event
Deputy Mayor Seager	\$200	Callington Primary School - assistance with MRASA Toy Run BBQ costs

Seconded Councillor Szilassy

CARRIED  
 OM20231204.14

**13. INFORMATION REPORTS**

Deputy Mayor Seager sought leave of the meeting to deal with agenda items 13.1, 13.4, 13.5 and 13.6 en bloc.

Moved Councillor Jones that the following reports be noted en bloc:

- 13.1**            **REPORT TITLE:**            **2023/24 FIRE SEASON PREPAREDNESS**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/154654**
- 13.4**            **REPORT TITLE:**            **REGIONAL AQUATIC AND LEISURE CENTRE**  
  **(RALC) DESIGN AND CONSTRUCTION TENDER**  
  **AWARD**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/130742**
- 13.5**            **REPORT TITLE:**            **AUTOMATED EXTERNAL DEFIBRILLATORS**  
  **(PUBLIC ACCESS) BILL 2022**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/156327**
- 13.6**            **REPORT TITLE:**            **ECONOMIC DEVELOPMENT PROGRAM UPDATE**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/154504**

Seconded Councillor Hewett

CARRIED  
OM20231204.15

***Disclosure of Material Conflict of Interest Declaration***

*Refer to Item* : 4.2  
*Councillor Szilassy left the meeting at* : 7:45pm

Moved Councillor Hewett that the following report be noted:

- 13.2**            **REPORT TITLE:**            **SOUTH AUSTRALIAN PUBLIC HEALTH ACT**  
  **2011 ANNUAL REPORT 2022/2023**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/156960**

Seconded Councillor Harding

CARRIED  
OM20231204.16

7:47pm Councillor Szilassy returned to the meeting and took her chair.

***Disclosure of Material Conflict of Interest Declaration***

*Refer to Item* : 4.3



Councillor Harding left the meeting at : 7:47pm

Moved Councillor Westwood that the following report be noted:

**13.3**            **REPORT TITLE:**            **BLACKSPOT ROAD SAFETY GRANT FUNDING UPDATE**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/148561**

Seconded Councillor Szilassy

CARRIED  
OM20231204.17

7:49pm Councillor Hardingham rose from her chair.

7:49pm Councillor Harding returned to the meeting and took her chair.

7:49pm Councillor Hardingham took her chair.

#### **14.            QUARTERLY REPORTS**

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

**14.1**            **REPORT TITLE:**            **WASTEWATER SERVICE QUARTERLY REPORT**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/149100**

**14.2**            **REPORT TITLE:**            **MOUNT BARKER COMMUNITY LIBRARY QUARTERLY PERFORMANCE REPORT**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/156813**

**14.3**            **REPORT TITLE:**            **SOUTHERN & HILLS LOCAL GOVERNMENT ASSOCIATION UPDATE REPORT**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/156813**

**14.4**            **REPORT TITLE:**            **ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY QUARTERLY REPORT – JULY TO SEPTEMBER 2023**  
                  **DATE OF MEETING:**        **4 DECEMBER 2023**  
                  **FILE NUMBER:**            **DOC/23/106574**

Seconded Councillor Hewett

CARRIED  
OM20231204.18

## 15. **MAYOR'S REPORT**

### Acting Mayor Simon Westwood

- Took up duties as Acting Mayor -1 November
- Meeting with CEO and EM re tasks and duties (3hours) - 1 November
- Meeting with EM re Council meeting on 6<sup>th</sup> - 2 November
- Elected member training session + mandatory EM training. (3hours) - 2 November
- Telephone conversation with Mayor - 3 November
- Attended Ink Pot Arts fundraiser and showcase.(3hours) - 4 November
- Attended Littlehampton CFS 40th Anniversary luncheon. (3hours) - 5 November
- Elected member briefing session - 6 November
- Chaired Council Meeting. (4hours) - 6 November
- Conducted Citizenship Ceremony. (1.5hours) - 7 November
- Briefing from Probity Consultant. (1.5hours) - 8 November
- Summit EOI – Assessment Panel Meeting. (4hours) - 9 November
- Attended Remembrance Day ceremony, Hahndorf. (2hours) - 11 November
- Attended Open Day at Littlehampton CFS (40th anniversary). (2hours) - 12 November
- Attended and officiated at Nairne RSL rededication of honour rolls, Nairne Soldier's Memorial Hall. (2hours) - 12 November
- TV interview, ABC radio & 5MU radio interviews re Gather Round announcement. (4hours) - 12 November
- Elected Member training, change management & resilience. (2hours) -13 November
- 5AA Radio interview re Gather Round announcement. (0.5hours) - 13 November
- Chaired Special Council Meeting. (0.5hours) - 13 November
- Travelled to Canberra re NGAA showcase and symposium. (6hours) - 16 November
- Attended Question Time for Rebekha Sharkie's question to Parliament re withdrawal of Federal funding for Hahndorf infrastructure project. (6hours incl.) - 16 November
- NGAA Symposium – long term plan. (8hours) - 17 November
- Return from Canberra after cancelled flight on 17th. (5hours) - 18 November
- Elected Member Briefing Session (2hours) - 20 November
- Assessment Panel meeting – Citizen of the year 2024. (2hours) - 22 November
- Mayoral briefing. (1hour) - 22 November
- Attended Mt Barker High School Graduation ceremony. Presented Merit Awards. (3hours) - 23 November
- Attended Vailo Adelaide 500 (guest of State Government) Liaised with State MPs and local govt. Mayors and staff (6hours) - 24 November
- Attended Nairne Railway Station 140th anniversary celebrations. (3hours) - 26 November

- Attended Macclesfield Strawberry Fair (2hours) - 26 November
- Attended Choir Cecilia Summer Concert – Our Lady of Mercy Church Mann St (3 hours) - 26 November
- Elected Member Briefing (2hours) - 27 November
- RALC Building Contract announcement (2hours) - 29 November
- Attended Council re correspondence/office work (1hour) - 30 November
- Attended Mt Barker Christmas Pageant (3hours) - 2 December
- Work from home (email/phone calls etc) – 24hours
- Travel (local) – 10hours
- Total – 127 hours approx.



## 16. MEMBERS' REPORTS

### Councillor Szilassy

- Council meeting – 6 November
- Special Council meeting –13 November
- Information and briefing sessions
- Confidential briefing sessions
- Mandatory Training x2 – Behaviour modules, Leadership & Communication Skills
- Elected Member Tour of Civic Centre
- Honor Rolls Restoration, Nairne RSL – Nairne Soldiers Memorial Hall
- Remembrance Day – Littlehampton Community Association, Miels Park
- Littlehampton CFS 40th Anniversary open day
- Phone calls and emails with North Ward residents
- Assessment Panel – Citizen of the Year
- NDRA – November Councillor Forum
- Nairne Railway Station 140th Anniversary – Nairne Lions
- Macclesfield Strawberry Fete
- Echunga Picnic in the Park – Echunga Community Association
- Brukunga Community Association – Telecommunications information evening
- Keith Stephenson Park Playspace official opening

### Councillor Hewett

- Mandatory Training: Behaviour Modules - Leadership Skills -13 November
- Special Council Meeting – 13 November
- Member tour and new staff BBQ (Civic Centre) – 20 November
- Information Session Waste Tender Briefing/Heysen Foundation Gallery Update - 20 November
- Information Session RALC Update (Confidential)/ Summit Update (Confidential) - 27 November
- KSP Playspace Official Opening – 2 December

## 17. QUESTIONS ARISING FROM COUNCIL MEETING

NIL

## 18. CONFIDENTIAL REPORTS

### ***Disclosure of General Conflict of Interest Declaration***

<i>Refer to Item</i>	:	4.4
<i>Councillor Harding left the meeting at</i>	:	7:56pm

**18.1**            **REPORT TITLE:**            **CONFIDENTIAL ITEM: ALLOCATE 2024 CITIZEN  
OF THE YEAR AWARD RECIPIENTS**  
**DATE OF MEETING:**        **4 DECEMBER 2023**  
**FILE NUMBER:**            **DOC/23/155619**

Moved Councillor Hewett that Council:

**Section 90 (3)(o) Order**

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

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; Executive Manager; General Manager Planning and Community; General Manager Infrastructure; Head of Wastewater, General Manager Corporate Services; Manager Strategic Projects and Economic Development and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 titled Allocate 2024 Citizen of the Year Award Recipients.

The Council is satisfied that pursuant to Section 90(3)(o) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information relating to proposed award recipients before the presentation of the awards.

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 this information may compromise the Council's position if the identity of the recipients is revealed prior to the official presentation of the awards.

Seconded Councillor Szilassy

CARRIED  
OM20231204.19

**Section 91(7) Order**

3. Pursuant to Section 91(7)

That having considered Agenda Item 18.1 Allocate 2024 Citizen of the Year Award Recipients, in confidence under 90(2) and 3(o) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the report, attachments and all minutes be retained in confidence until the 27 January 2024 being the day after the Civic Ceremony on 26 January 2024.

Seconded Councillor Hewett

CARRIED  
OM20231204.21

8:00pm Councillor Harding returned to the meeting and took her chair.



**Disclosure of Material Conflict of Interest Declaration**

Refer to Item : 4.1  
Councillor Jones left the meeting at : 8:00pm

**18.2 REPORT TITLE: CONFIDENTIAL ITEM: SUMMIT PRECINCT AND REGIONAL AQUATIC & LEISURE CENTRE OPERATOR – EXPRESSION OF INTEREST CAMPAIGN**  
**DATE OF MEETING: 4 DECEMBER 2023**  
**FILE NUMBER: DOC/23/148350**

Moved Councillor Voogt that Council:

**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 Chief Executive Officer, General Manager Infrastructure, Head of Wastewater, General Manager Planning & Community, General Manager Corporate Services, Executive Manager, Manager Strategic Projects and Economic Development and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 titled Summit Precinct and Regional Aquatic & Leisure Centre Operator – Expression of Interest Campaign.

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 of 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 would compromise the Council's ability to engage and negotiate effectively as the Council's commercial position in relation to the matter would inappropriately become known to any potential proponent.

Seconded Councillor Orr

CARRIED  
OM20231204.22





Moved Councillor Westwood that Council:

**Section 91(7) Order**

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

That having considered Agenda Item 18.2 Summit Precinct and Regional Aquatic & Leisure Centre Operator – Expression of Interest Campaign:, 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 council report, attachments, related documents and all minutes be retained in confidence until 4 December 2033. The identity of the RALC Operator and Precinct Partner will be released to coincide with the endorsement of contractual, legally binding terms with Council. This order will be reviewed every 12 months.

Seconded Councillor Orr

CARRIED  
OM20231204.24

8:12pm Councillor Jones returned to the meeting and took her chair.

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<b>18.3</b>	<b>REPORT TITLE:</b>	<b>CONFIDENTIAL ITEM: HAHNDORF CAR PARKING OPTIONS AND OPPORTUNITIES</b>
	<b>DATE OF MEETING:</b>	<b>4 DECEMBER 2023</b>
	<b>FILE NUMBER:</b>	<b>DOC/23/160378</b>

Moved Councillor Harding that Council:

**Section 90(3)(b) Order**

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, General Manager Infrastructure, General Manager Planning and Community, General Manager Corporate Services, Executive Manager, Head of Wastewater, Manager Strategic Projects and Economic Development, and the Minute Secretary be excluded from attendance at the meeting for the Agenda Item 18.3 titled Hahndorf Car Parking Options and Opportunities

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 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.

Seconded Councillor Szilassy

CARRIED  
OM20231204.25

Moved Councillor Hewett that Council:

**Section 91(7) Order**

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

That having considered Agenda Item 18.3 Hahndorf Car Parking Options and Opportunities 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 council report, related documents and all minutes be retained in confidence until a future resolution of Council relating to a preferred option or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Councillor Szilassy

CARRIED  
OM20231204.27

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MEETING DECLARED CLOSED AT 8:30PM

  
\_\_\_\_\_  
MAYOR

15.1.24  
\_\_\_\_\_  
DATE

