

CONFIDENTIAL ITEMS 2003 – AUGUST 2022

| #   | 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  |
|-----|-----------------|--|---|--|--|--|------------------|------------------|--|
| 173 | 17 January 2022 | Appointment of Independent Members to the Summit Sport And Recreation Park Board | <p>1. <u>Pursuant to Section 90(3)(a)</u><br/>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 – Governance, Strategic Projects and Wastewater/Recycled Water; General Manager Corporate Services; General Manager, Infrastructure; Acting General Manager, Planning and Development; Acting General Manager, Community Services; Risk and Governance Officer / Executive Assistant to the Mayor; Executive Officer to the Summit Sport and Recreation Park Board, Executive Officer Sport and Recreation Development and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board.</p> <p>The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed an interest in membership of the Summit Sport and Recreation Park Board in that their identity and details included in their resumes will be discussed.</p> <p>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 details relating to personal information of people who expressed an interest in membership of the Board will be discussed.</p> <p>2. <u>Pursuant to Section 91(7)</u><br/>That having considered Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until all appointees have accepted their position and unsuccessful applicants have been notified or such lesser period as may be determined by the Chief Executive Officer.</p> | Report minutes and   | <p>The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed an interest in membership of the Summit Sport and Recreation Park Board in that their identity and details included in their resumes will be discussed.</p> <p>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 details relating to personal information of people who expressed an interest in membership of the Board will be discussed.</p> | Retained in confidence until all appointees have accepted their position and unsuccessful applicants have been notified or such lesser period as may be determined by the Chief Executive Officer. |                  | Within 12 months | <i>Report and Minutes released on website 16 August 2022</i> |

**18.2           REPORT TITLE:           APPOINTMENT OF INDEPENDENT MEMBERS TO  
THE SUMMIT SPORT AND RECREATION PARK  
BOARD**

**DATE OF MEETING:   17 JANUARY 2022**

**FILE NUMBER:       DOC/21/207842**

**ATTACHMENTS:       NIL**

**Key Contact           Greg Parker, Executive Officer to the SSRP  
Board**

**Manager/Sponsor   Andrew Stuart, Chief Executive Officer**

**Community Plan 2020-2035:**

Community Wellbeing

CW Goal 1 Activity and movement - Physical and mental health and wellbeing is supported by opportunities to access parks and natural areas, quality open space and recreation and sporting facilities.

CW Objective 1.4 Promote and support local recreation and sport and associated community groups and clubs.

**Annual Business Plan:**

N/A

**Purpose:**

To appoint two independent members to the Summit Sport and Recreation Park (SSRP) Board.

**Summary – Key Issues:**

The Recruitment Panel appointed by Council has recommended the appointment of two independent members to the Summit Sport and Recreation Park Board.

**Recommendation:**

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

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except (Chief Executive Officer, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects, Wastewater/Recycled Water, General Manager Corporate Services, A/General Manager Planning and Development, A/General Manager Community Services, General Manager Infrastructure, Risk and Governance Officer, Executive Officer to the SSRP Board and the Minute Secretary) be excluded from attendance at the meeting for Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed an interest in membership of the Summit Sport and Recreation Park Board in that their identity and details included in their resumes will be discussed.

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 details relating to personal information of people who expressed an interest in membership of the Board will be discussed.

2. That Council appoint the following independent members to the Summit Sport and Recreation Park Board:
  - Peter Scargill
  - Jane Russofor the period 2 February 2022 and expiring 1 February 2024.

**Section 91(7) Order**

3. Pursuant to Section 91(7)  
That having considered Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until all appointees have accepted their position and unsuccessful applicants have been notified or such lesser period as may be determined by the Chief Executive Officer.

---

**Background:**

1. The SSRP Board is a committee of Council, pursuant to the Local Government Act 1999.
2. The Terms of Reference for the SSRP Board require 5 members, 4 of which are independent members.
3. Independent Members are appointed with split terms so that the Board can maintain continuity whilst still refreshing its membership as required.
4. At the 6 December 2021 meeting Council approved the process to recruit two independent board members of the SSRP Board for the period 2 February 2022 to 1 February 2024.

5. Members of the Recruitment Panel were Mayor Ann Ferguson, Greg Parker, Executive Officer to the Board and Brian Cunningham as an independent panellist.
6. Advertisements for expressions of interest for 2 independent members of the Summit Sport and Recreation Park Board appeared on Council's website with a post to Facebook and an advertisement in The Courier.
7. Applications were due by 5 pm Monday 6 December 2021.
8. Seven (7) applications were received. Names of all applicants are available from the Executive Officer to the Board on request.
9. Current Board members, Jane Russo and Peter Scargill, whose terms are due to expire on 1 February 2022 both expressed strong interest in being re-appointed and re-applied.

**Discussion:**

10. The Recruitment Panel met on 8 December 2021 and used weighted selection criteria to shortlist and determined that four (4) applicants would be interviewed.
11. The selection criteria used were:
  - Australian Institute of Company Directors qualifications or equivalent experience
  - commercial experience
  - local/state government experience
  - business connections
  - financial expertise
  - sports/leisure facility experience
  - contract management
  - master planning
  - marketing/community events
  - community disability/public health
  - previous Chairperson experience (included for the purposes of back-up for the Chair).
12. The interviews occurred on 16th of December 2021 with the following applicants (listed in no particular order):
  - Jane Russo
  - Peter Scargill
  - Jayne Symons
  - Neil PageCVs for those interviewed are available from the Executive Officer to the Board on request.

13. The Council is seeking a mix of skills and the Recruitment Panel recommend the following candidates to be re-appointed to the Board:
- Jane Russo (strengths in marketing, sports/leisure, local government, community/disability)
  - Peter Scargill (strengths in finance, commerce, sport administration)
14. Both Ms Russo and Mr Scargill have performed well on the Board in their 2 year terms and have made valuable contributions throughout.
15. As per the approved Terms of Reference for the SSRP Board the Chairperson (Iain Evans) and one independent board member (Paul Brown) were appointed for 3 years which concludes in February 2023.
16. Councillor Samantha Jones is currently the Council member representative on the SSRP Board and her term will conclude at the end of the term of the current Council.
17. Council will be asked to appoint a Council Member to the SSRP Board following the November 2022 elections.
18. A separate selection process will commence following the Council election in late 2022 to undertake the recruitment for the two Board positions that expire in February 2023.

**Community Engagement:**

|                |   |
|----------------|---|
| Informing only | Following advice to the successful and unsuccessful applicants for the SSRP Board, information will be placed on Council's website. |
|----------------|---|

**Policy:**

N/A

**Long Term Financial Plan:**

The Summit Sport and Recreation Park was included in the previously adopted Long Term Financial Plan.

**Budget:**

The total budget for SSRP Board member sitting fees for 2021/22 is approximately \$20,000.

**Statutory/Legal:**

The SSRP Board is a Committee of Council and does not derogate from the power of council to act in a matter.

Pursuant to the Local Government Act the Committee (SSRP Board) has established a Sub-Committee.

**Staff Resource Requirements:**

The Risk and Governance Officer has assisted the Recruitment Panel.

**Environmental:**

N/A

**Social:**

N/A

**Risk Assessment:**

There is a risk that given the passage of time a person recommended for appointment may have had a change in circumstances.

**Asset Management:**

N/A

**Conclusion:**

A strong, principally independent Board with diverse skills will ensure the continual pursuit of the objectives of the Board articulated within its Terms of Reference.

---

Previous Decisions By/Information Reports to Council

|              |  |                |               |
|--------------|--|----------------|---------------|
| Meeting Date | 6 December 2021  | HPRM Reference | DOC/21/183440 |
| Title        | SUMMIT SPORT AND RECREATION PARK BOARD – PROCESS TO RECRUIT TWO INDEPENDENT BOARDS MEMBERS 2022-2024                           |                |               |
| Purpose      | For Council to endorse the process to appoint two (2) independent Summit Sport and Recreation Park Board (SSRP) board members. |                |               |

|              |   |                |               |
|--------------|---|----------------|---------------|
| Meeting Date | 20 January 2020   | HPRM Reference | DOC/19/162563 |
| Title        | APPOINTMENT OF INDEPENDENT MEMBERS, PAYMENT OF AN ANNUAL FEE AND APPOINTMENT OF A COUNCIL MEMBER TO THE REGIONAL SPORTS HUB BOARD   |                |               |
| Purpose      | To appoint independent members to the Regional Sports Hub Board and<br>To determine an annual payment for independent members.<br>To appoint a Council Member to the Regional Sports Hub Board. |                |               |

|              |  |                |               |
|--------------|--|----------------|---------------|
| Meeting Date | 2 September 2019   | HPRM Reference | DOC/19/101322 |
| Title        | REGIONAL SPORTS HUB BOARD AND SUB-COMMITTEE TERMS OF REFERENCE AND INDEPENDENT BOARD MEMBERS NOMINATION PANEL  |                |               |
| Purpose      | To seek approval of the Terms of Reference for the Regional Sports Hub Board and Sub-Committee.<br>To appoint members to the Independent Board Members Nomination Panel. |                |               |

|              |  |                |             |
|--------------|--|----------------|-------------|
| Meeting Date | 1 April 2019   | HPRM Reference | DOC/19/4289 |
| Title        | MOUNT BARKER REGIONAL SPORTS HUB OPERATIONS / GOVERNANCE MODEL AND BUSINESS STRATEGY   |                |             |
| Purpose      | To seek Council endorsement of the Mount Barker Regional Sports Hub operating and governance model (part 1) (attachments 1 and 2) and the business strategy (part 2) (attachment 3) to enable preparation for operations to proceed. |                |             |

**18.2**            **REPORT TITLE:**        **APPOINTMENT OF INDEPENDENT MEMBERS TO  
THE SUMMIT SPORT AND RECREATION PARK  
BOARD**

**DATE OF MEETING:**    **17 JANUARY 2022**

**FILE NUMBER:**        **DOC/21/207842**

**ATTACHMENTS:**      **NIL**

Moved Councillor Seager that Council:

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

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 – Governance, Strategic Projects and Wastewater/Recycled Water; General Manager Corporate Services; General Manager, Infrastructure; Acting General Manager, Planning and Development; Acting General Manager, Community Services; Risk and Governance Officer / Executive Assistant to the Mayor; Executive Officer to the Summit Sport and Recreation Park Board, Executive Officer Sport and Recreation Development and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable

disclosure of information concerning the personal affairs of people who expressed an interest in membership of the Summit Sport and Recreation Park Board in that their identity and details included in their resumes will be discussed.

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 details relating to personal information of people who expressed an interest in membership of the Board will be discussed.

9.34pm Councillor Morrison rose and left the meeting

Seconded Councillor Orr

CARRIED  
OM20220117.21

Moved Councillor Orr that Council:

2. Appoint the following independent members to the Summit Sport and Recreation Park Board:
  - Peter Scargill
  - Jane Russofor the period 2 February 2022 and expiring 1 February 2024.

Seconded Councillor Seager

CARRIED  
OM20220117.22

Moved Councillor Seager that Council:

3. Pursuant to Section 91(7)  
That having considered Agenda Item 18.2 Appointment of Independent Members to the Summit Sport and Recreation Park Board in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the report and minutes be retained in confidence until all appointees have accepted their position and unsuccessful applicants have been notified or such lesser period as may be determined by the Chief Executive Officer.

Seconded Councillor Orr

CARRIED  
OM20220117.23

---