CONFIDENTIAL ITEMS 2003 – JULY 2026

#	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
224	11 October 2023	Summit Sport and Recreation Park Board – Licence Proposal	Section 90 (3) (b) Order 1. Pursuant to Section 90(3)(b) Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Executive Manager and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 12.2 License Proposal. The Board 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 Board is: conducting business; or would prejudice the commercial position of the Board 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 nondisclosure 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 Board 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 the Board's commercial position may severely prejudice the Board's ability to be able to negotiate a costeffective proposal for the benefit of the Board and the community in this matter and in relation to other contract negotiations. Section 91(7) Order 3. Pursuant to Section 90 (3) (b) That having considered Agenda Item 12.2 License Proposal, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board report, related documents and all minutes be retained in confidence except for the provision of notification of the Board's resolution to the Hills Football League, and that all other information will remain confidential until licence negotiations are complete or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.	Board report, related documents and all minutes be retained in confidence except for the provision of notification of the Board's resolution to the Hills Football League.	The Board 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 Board is: conducting business; or would prejudice the commercial position of the Board 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 nondisclosure 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 Board is satisfied that the principle that the meeting be conducted in a place open to the public	Board report, related documents and all minutes be retained in confidence except for the provision of notification of the Board's resolution to the Hills Football League, and that all other information will remain confidential until licence negotiations are complete or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.	7 Oct 25	Within 12 months	*Report and Minutes released on website 6 November 2026*

MAY BE RELEASED

CONFIDENTIAL ITEMS 2003 – JULY 2026

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					has been outweighed in the circumstances because the disclosure of the Board's commercial position may severely prejudice the Board's ability to be able to negotiate a costeffective proposal for the benefit of the Board and the community in this matter and in relation to other contract negotiations.				

PART RELEASED

12.2 REPORT TITLE: CONFIDENTIAL - LICENCE PROPOSAL

DATE OF MEETING: 11 OCTOBER 2023

FILE NUMBER: DOC/2023/134107

ATTACHMENTS: 1: DOC/23/135262 - LETTER FROM SANFL DATED 17 AUGUST 2023

Key Contact Alison Hancock, Executive Manager

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.

Annual Business Plan:
The Annual Business Plan provides for the income generated from the regular licence agreements entered into for the SSRP.

Summit Sport and Recreation Park Terms of Reference:
2.1 The Board will:
2.1.1 maximise participation of the facility and seek to minimize the cost
7.4 Management and Other Agreements
Negotiate and execute the management agreements (i.e. lease/licence) that are in accordance with the approved SSRP Business Plan and Operations and Governance Model and approved Council Policies, with the user groups.

Purpose:
To seek a resolution of the SSRP Board to enter into License negotiations for the 2024 winter season for a period of 5 years upon terms and conditions satisfactory to the SSRP Board and Council to enable regional use of the Premier Oval and Clubrooms as per the request by the SANFL dated 17 August 2023.

Summary – Key Issues:
- When the SSRP was initially envisioned, it was anticipated that the peak associations of the three primary sports would hold the license agreements for the respective sports across their respective seasons.
- The Executive Manager and the Council's Chief Executive Officer have met with the Chief Executive and senior staff of SANFL to commence preliminary discussions.

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Recommendation:

Section 90 (3) (b) Order

1. Pursuant to Section 90(3)(b)
   Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Executive Manager and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 12.2 License Proposal.

   The Board 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 Board is:

   conducting business; or
   would prejudice the commercial position of the Board

   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 Board 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 the Board's commercial position may severely prejudice the Board's ability to be able to negotiate a cost-effective proposal for the benefit of the Board and the community in this matter and in relation to other contract negotiations.

2. That the Summit Sports and Recreation Park Board authorises the SSRP Board Chair, Mr Iain Evans and the Executive Manager, Alison Hancock to commence negotiations with SANFL with the view to negotiating a draft License Agreement for Board consideration and approval.

3. That the Summit Sports and Recreation Park Board determines the following high level terms to inform negotiations:
   a. [to be inserted at the meeting].

Section 91(7) Order

4. Pursuant to Section 90 (3) (b)
   That having considered Agenda Item 12.2 License Proposal, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board report, related documents and all minutes be retained in confidence except for the provision of notification of the Board's resolution to the Hills Football League, and that all other information will remain confidential until licence negotiations are

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complete or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Background:

1. The Hills Football League (HFL) entered into a licence with Council dated 6 May 2021.

2. As per the agenda item earlier for this meeting, it is recommended that the HFL licence be terminated to allow for the SSRP Board to enter into negotiations with an entity who is capable of delivering on the regional use of the site.

3. The recommendation of this report is aligned with the original intention of the SSRP governance model, insofar as the peak sporting associations (Football SA, South Australian Cricket Association and South Australian National Football League) would hold the license agreements.

Discussion:

4. A license agreement with the SANFL will assist the SSRP Board to achieve its strategic objective as outlined in its Terms of Reference, namely - maximise participation of the facility and seek to minimise the cost.

5. The SANFL is considered to have the human and financial resources to manage the facility in a professional and strategic manner.

6. The SANFL has access to resources to program the SSRP Premier oval for local, district, regional and state based usage.

7. The SANFL is currently a 50% owner of Adelaide Oval Stadium Management Authority (AOSMA) and is cognisant of the seasonal transition and shared use with cricket at the most strategic level.

8. A partnership with SANFL through a licence agreement will assist in strategic recreational and sport planning for the district with aim to:
   a. Facilitate the potential for a new HFL level football club for the Mount Barker region
   b. Provide a facility that will support any potential new SANFL team based in the Adelaide Hills.
   c. Will develop through their existing and future programs for grassroots AFL development pathways for residents and regional visitors
   d. Will provide a stronger linkage for families in the Mount Barker region to participate in AusKick programs
   e. Will provide a basis for training and development programs for our existing HFL club development

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f. Provide the required resource support for the management of programming HFL training and game day requirements.

Community Engagement:

Informing only	Once terms are negotiated, agreed and executed by the SSRP Board, then all HFL clubs and affiliated entities will be notified.

Budget:
A licence agreement with the SANFL will allow for an entity with the financial resources to manage the site for the licence period.

Statutory/Legal:
The Terms of Reference of the Board allow the Board to negotiate a Licence agreement with SANFL.

Staff Resource Requirements:
Within current staff resources.

Social:
The SSRP was constructed to be a regional facility, open and accessible to all individuals and user groups. It was not envisaged that it be the home ground for one particular group but rather be shared and utilised for state, regional as well as grassroots sport and leisure entertainment opportunities. The SANFL has the professional resources to facilitate these outcomes.

Asset Management:
The current AFL oval is being maintained at a high service level, which has the effect of an increased cost of maintenance. This was in reflection of the provision of a higher and better use standard than other ovals across the region that are usually depicted as 'home grounds' for grassroots and local football clubs. This higher standard has been maintained in order to attract regional, state and national games and entertainment opportunities and aligns more closely with the standard required by the SANFL.

Conclusion:
SANFL has requested that Council and the SSRP Board enter into negotiations for a licence agreement for the winter season for the AFL Premier Oval at the SSRP. It is recommended that this opportunity aligns closely with the original intention of the SSRP site and will facilitate a range of strategic recreation and sporting objectives for the region.

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Previous Decisions By/Information Reports to the Summit Sport and Recreation Park Board

Meeting Date	18 May 2023	CM Reference	DOC/23/59490
Title	HILLS FOOTBALL LEAGUE LICENCE AGREEMENT		
Purpose	To table correspondence received from the Hills Football League requesting a termination of their licence agreement.		

Meeting Date	7 JUNE 2021	CM Reference	DOC/21/73577
Title	SUMMIT SPORT AND RECREATION PARK (SSRP) BOARD – NON-EXCLUSIVE LICENCE EXECUTION		
Purpose	To inform Council the SSRP Board executed non-exclusive licence agreements with Football SA and Hills Football League on 6 May 2021 in accordance with the Licence Negotiation Strategy approved by the Board on 2 December 2020.		

Meeting Date	18 January 2021	HPRM Reference	DOC/20/187333
Title	Regional Sports Hub Stage 1 Progress Update		
Purpose	To provide a progress report on the regional sports hub stage 1 project construction and preparation for operations.		

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[redacted]

12.2 REPORT TITLE: LICENCE PROPOSAL
DATE OF MEETING: 11 OCTOBER 2023
FILE NUMBER: DOC/23/134107
ATTACHMENTS: 1: DOC/23/135262 - LETTER FROM SANFL DATED 17 AUGUST 2023

Moved Paul Brown:

Section 90 (3) (b) Order

1. Pursuant to Section 90(3)(b)
   Pursuant to Section 90(2) of the Local Government Act 1999 the Board orders that all members of the public except Executive Manager and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 12.2 License Proposal.

   The Board 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 Board is:

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Seconded Peter Scargill CARRIED
SSRP20231011.9

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Moved Peter Scargill:

2. That the Summit Sports and Recreation Park Board authorises the SSRP Board Chair, Mr Iain Evans and the Executive Manager, Alison Hancock to commence negotiations with SANFL with the view to negotiating a draft License Agreement for Board consideration and approval.

Seconded Paul Brown CARRIED
SSRP20231011.10

Moved Jane Russo:

Section 91(7) Order

3. Pursuant to Section 90 (3) (b)
That having considered Agenda Item 12.2 License Proposal, in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Board pursuant to Section 91(7) of the Act orders that the Board report, related documents and all minutes be retained in confidence except for the provision of notification of the Board's resolution to the Hills Football League, and that all other information will remain confidential until licence negotiations are complete or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months.

Seconded Paul Brown CARRIED
SSRP20231011.11

MEETING DECLARED CLOSED AT 7.24pm

CHAIRPERSON DATE

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