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
213	4 September 2023	**Appointment of Independent Members to the Summit Sport And Recreation Park Board**	Section 90 (3) (a) Order 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; General Manager Corporate Services; General Manager Planning and Community; Executive Manager to the Chief Executive Officer;; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Appointment of Independent Members to 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 includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of members of the SSRP Board, specifically the Board Members' performance, which are sensitive and are details only known to those who have participated in the SSRP Board review process. 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 of the information on the performance of Board Members. Section 91(7) Order 5. Pursuant to Section 91(7) That having considered Agenda Item 18.2 Appointment of Independent Board Members to 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 documents and all minutes be retained in confidence until 30 December	Documents and all minutes	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 includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of members of the SSRP Board, specifically the Board Members' performance, which are sensitive and are details only known to those who have participated in the SSRP Board review process. 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 of the information on the performance of Board Members.	Retained in confidence until 30 December 2023 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the Summit Sport and Recreation Park Board (Council Committee) as to the resolutions of Council contained in this item.	7 Oct 25	Within 12 months	*Report and Minutes released 6 November 2026*

PART RELEASED

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

DATE OF MEETING: 4 SEPTEMBER 2023

FILE NUMBER: DOC/23/109384

ATTACHMENTS: DOC/23/113161 – RECRUITMENT PLAN TIMELINE FOR SSRP INDEPENDENT BOARD MEMBER

Key Contact **Alison Hancock, Executive Manager to the Chief Executive Officer, and Responsible Officer to the SSRP Board**

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

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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
N/A

Purpose:
For Council to endorse an extension to the term of appointment for the four (4) current SSRP Board Members until 31 December 2024 and endorse the recruitment process for an additional an independent member who specialises in marketing and commercial event management.

Summary – Key Issues:
1. Two (2) independent SSRP Board members' terms expire on 30 September 2023, being Iain Evans (Chairperson) and Paul Brown.

2. Two (2) independent SSRP Board members' terms expire on 1 February 2024, being Peter Scargill and Jane Russo.

3. At 6 March 2023 Council meeting Council endorsed a revised SSRP Board Terms of Reference to include an additional independent member that specialises in marketing and commercial event management.

4. A further review of the governance structure of the SSRP Board will be undertaken following the conclusion of the Summit Precinct Expression of

Interest process to determine the future governance model for the broader Summit Precinct which may include the ongoing governance of the current SSRP site.

5. An extension to the appointment term of the existing four (4) independent board members will provide continuity and stability for the SSRP Board for strategic and operational priorities, and until a review of the governance structure is completed.

Recommendation:

That Council:
Section 90 (3) (a) Order

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; General Manager Corporate Services; General Manager Planning and Community; Executive Manager to the Chief Executive Officer; General Manager Infrastructure; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 8.2 Appointment of Independent Members to 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 includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of members of the SSRP Board, specifically the Board Members' performance, which are sensitive and are details only known to those who have participated in the SSRP Board review process.

   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 of the information on the performance of Board Members.

That Council:

2. note current expiry dates for the current SSRP Independent Board Members:
   - Iain Evans (Chairperson) – 30 September 2023
   - Paul Brown – 30 September 2023
   - Peter Scargill – 1 February 2024
   - Jane Russo – 1 February 2024

3. reappoint current SSRP Board Members Iain Evans (Chairperson), Paul Brown, Peter Scargill and Jane Russo until 30 December 2024.

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4. Endorse the recruitment process (attached) for an additional independent board member with an appointment expiry date of 30 December 2024.

Section 91(7) Order

5. Pursuant to Section 91(7)
That having considered Agenda Item 18.2 Appointment of Independent Board Members to 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 documents and all minutes be retained in confidence until 30 December 2023 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the Summit Sport and Recreation Park Board (Council Committee) as to the resolutions of Council contained in this item.

Background:

1. The SSRP Board is a committee of Council, pursuant to the Local Government Act 1999.

2. The original Terms of Reference for the SSRP Board as endorsed by Council at 2 September 2019 required 5 members, 4 of which were 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. 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.

5. At the 17 January 2022 meeting Council appointed two (2) independent board members of the SSRP Board for the period 2 February 2022 to 1 February 2024.

6. 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 concluded in February 2023.

7. At 16 January 2023 council meeting Council reappointed for a further short term current SSRP Board Members Iain Evans (Chairperson) and Paul Brown until 30 September 2023, providing for continuity and stability for the SSRP

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Board for strategic and operational priorities as discussed in the 16 January 2023 report to Council.

8. Additionally, at 16 January 2023 council meeting Council noted the SSRP Board's feedback on the confidential ISC Review of the SSRP Board. The confidential ISC Review report remains available to all council members via the council members' extranet and clicking on Confidential Council Agenda and Minutes for 5 September 2022 meeting.

9. At 6 March 2023 Council meeting Council endorsed a revised SSRP Board Terms of Reference to include an additional independent member that specialises in marketing and commercial event management.

10. * Having regard to the ISC Review, at the SSRP Board meeting 9 August 2023 the Board adopted an additional independent Board Member into the membership of the Board and this is reflected in the updated Board Terms of Reference available on Council's website.

11. An extension to the appointment term of Iain Evans (Chair), Paul Brown, Peter Scargill and Jane Russo will provide continuity and stability for the SSRP Board for strategic and operational priorities, including that the Chair will be invited to be involved in the recruitment of the new independent Board role.

6. A further review of the governance structure of the SSRP Board will be undertaken following the conclusion of the Summit Precinct Expression of Interest process to ascertain and resolve the future governance model for the whole of the Summit precinct which may include the current SSRP site.

7. An extension to the appointment term of the existing four (4) independent board members will provide continuity and stability for the SSRP Board for strategic and operational priorities, and until a review of the governance structure is completed.

8. The Terms of Reference for the SSRP Board outlines that the process to appoint a member to the Committee shall be determined by Council.

Discussion:

12. Appointing the new independent member of the Committee as per the revised Terms of Reference is recommended to be recruited for a period to conclude on 24 December 2024 to coincide with the proposed new expiry date of the existing independent board members. This will see all board member terms expiring at the same time.

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13. The transitional arrangements (and re-balancing of the Board Member terms) will be canvassed and resolved as part of the revised governance model for the Summit precinct following the finalisation of the current Summit EOI process.

14. It is recommended that the new independent Member be recruited as per the Attached following the resolution of Council in this matter to enable the Board to discuss and deliver improved income returns for the current SSRP site through greater site activation and event generation by the additional skills on the Board specifically for marketing and event activation.

Community Engagement:

Informing only	The community can be informed once council decision making on the matters raised occurs at a future council meeting.

Policy:
Not applicable

Long Term Financial Plan:
The above recommendations will not impact the consolidated Council LTFP.

Budget:
The above recommendations will not impact the 2023/24 council budget.

Statutory/Legal:
The SSRP Board is a Committee of Council under section 41 of the Local Government Act 1999. Both the SSRP Board and the Board's Sub-Committee have endorsed Terms of Reference.

Staff Resource Requirements:
The above recommendations can be implemented within existing staff resources.

Environmental:
Not applicable

Social:
The governance arrangements for the SSRP and the broader Summit Precinct are important from a social perspective given the extent of community use of existing and proposed facilities.

Risk Assessment:
Not having an effective governing arrangement will jeopardise the ability for the SSRP to serve regional and community goals..

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Asset Management:
Not applicable.

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	16 January 2023	HPRM Reference	DOC/23/298
Title	CONFIDENTIAL ITEM: SUMMIT SPORT AND RECREATION PARK BOARD		
Purpose	For Council to endorse the process to appoint two (2) independent Summit Sport and Recreation Park Board (SSRP) board members.		

Meeting Date	17 January 2022	HPRM Reference	DOC/21/207842
Title	APPOINTMENT OF INDEPENDENT MEMBERS TO THE SUMMIT SPORT AND RECREATION PARK BOARD		
Purpose	To appoint two independent members to the Summit Sport and Recreation Park (SSRP) Board.		

Meeting Date	6 December 2021	HPRM Reference	DOC/21/183340
Title	SUMMIT SPORT AND RECREATION PARK BOARD – PROCESS TO RECRUIT TWO INDEPENDENT BOARDS MEMBERS 2022-2[illegible]		
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 To determine an annual payment for independent members. 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. 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.		

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18.2 REPORT TITLE: APPOINTMENT OF INDEPENDENT MEMBERS TO THE SUMMIT SPORT AND RECREATION PARK BOARD
DATE OF MEETING: 4 SEPTEMBER 2023
FILE NUMBER: DOC/23/109384
ATTACHMENTS: DOC/23/113161 – RECRUITMENT PLAN TIMELINE FOR SSRP INDEPENDENT BOARD MEMBER

Moved Councillor Seager that Council:
Section 90 (3) (a) Order

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; General Manager Corporate Services; General Manager Planning and Community; Executive Manager to the Chief Executive Officer;; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Appointment of Independent Members to 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 includes information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of members of the SSRP Board, specifically the Board Members' performance, which are sensitive and are details only known to those who have participated in the SSRP Board review process.

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 of the information on the performance of Board Members.

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Seconded Councillor Szilassy CARRIED
OM20230904.20

Moved Councillor Orr that Council:

2. note current expiry dates for the current SSRP Independent Board Members:
   - Iain Evans (Chairperson) – 30 September 2023
   - Paul Brown – 30 September 2023
   - Peter Scargill – 1 February 2024
   - Jane Russo – 1 February 2024

3. reappoint current SSRP Board Members Iain Evans (Chairperson), Paul Brown, Peter Scargill and Jane Russo until 30 December 2024.

4. endorse the recruitment process (attached) for an additional independent board member with an appointment expiry date of 30 December 2024.

Seconded Councillor Westwood CARRIED
OM20230904.21

Moved Councillor Voogt that Council

Section 91(7) Order

5. Pursuant to Section 91(7)
That having considered Agenda Item 18.2 Appointment of Independent Board Members to 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 documents and all minutes be retained in confidence until 30 December 2023 or such lesser period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 months, except for the notification to the Summit Sport and Recreation Park Board (Council Committee) as to the resolutions of Council contained in this item.

Seconded Councillor Szilassy CARRIED
OM20230904.22

MEETING DECLARED CLOSED AT 8.17PM

MAYOR

6/11/23
DATE

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