

Minutes of the Ordinary Meeting of Council of the City of Prospect held in the Prospect Civic Centre, 128 Prospect Road, Prospect on Tuesday 27 February 2018, at 7:00pm

PRESENT:

Subject to Confirmation

Mayor D O'Loughlin

Councillors K Barnett, A De Backer, T Evans, M Groote, A Harris, M Lee (8.17pm) and M Standen

C Hart	-	Chief Executive Officer
C Hannaford	-	Director Business & Innovation
N Cunningham	-	Director Community & Planning
G Moon	-	Director Corporate Services
S Bradley	-	Director Infrastructure & Environment
J Tanti	-	Manager Governance & Administration
J Page	-	Minute Secretary

ITEM 1: OPENING

Item 1.1 Acknowledgment of the Kaurna people as the traditional custodians of the land

Item 1.2 Council Pledge

*We seek wisdom and understanding as we face the duties of our united task,
praying for the peace and prosperity of our City.*

Item 1.3 Declaration by Members of a Conflict of Interest

Mayor D O'Loughlin declared a perceived conflict of interest in Item 13.1 Use of Common Seal – Transfer of One Card Agreement to Libraries Board of South Australia as he is signatory on the transfer agreement.

Mayor D O'Loughlin intends to stay in the chamber when this item is discussed.

ITEM 2: ON LEAVE:

Nil.

ITEM 3: APOLOGIES:

Cr M Larwood.

ITEM 4: CONFIRMATION OF MINUTES:

Cr K Barnett moved Cr M Standen seconded

- (1) The Minutes of the Ordinary Meeting of Council held on Tuesday 23 January 2018, the Minutes of the Special Council Meeting held on Tuesday 6 February 2018 and the Minutes of the Special Council Meeting held on Tuesday 13 February 2018 be taken as read and confirmed as a true record.

Carried Unanimously 26/18

ITEM 5: MAYORAL MONTHLY REPORT

Cr T Evans moved Cr M Groote seconded

- (1) Council having considered Item 5 Mayoral Monthly Report for the period of 24 January 2018 to 27 February 2018, receive and note the report.

Carried Unanimously 27/18

ITEM 6: VERBAL REPORTS FROM COUNCIL REPRESENTATIVES:

Nil.

ITEM 7: PETITIONS:**Item 7.1 Petition - Angwin Avenue Residents - Traffic Restrictions**

Cr M Standen moved Cr A De Backer seconded

- (1) Council having considered Item 7.1 Petition receive and note the petition titled 'Petition for Angwin Avenue Prospect/Blair Athol for Suggested Traffic Restrictions'.
- (2) The traffic management issues in Angwin Avenue will be investigated by Staff and a report will be provided to Council at a future Council Meeting.

Carried Unanimously 28/18

ITEM 8: DEPUTATIONS:

Nil.

ITEM 9: MOTIONS ON NOTICE:**Item 9.1 Cr Alison De Backer – Car Parking Fund**

Cr A De Backer moved Cr K Barnett seconded

- (1) Council request a review of the Access to Council's Off Street Car Parking Development Fund Policy.
- (2) The review of the Policy to introduce a minimum contribution per standard car park shortfall, rather than a discretionary contribution.
- (3) Council investigate a minimum payment for each standard car parking space shortfall as no less than \$10,000 and up to \$30,000 per space.
- (4) Council receive a report at the March 2018 Ordinary Meeting in respect to the policy review.

Cr M Groote moved an amendment

- (3) Council investigate a minimum payment for each standard car parking space shortfall.

The Motion lapsed for want of a seconder.

The Mayor indicated the item would be taken in parts

The original Motion, namely:

- (1) Council request a review of the Access to Council's Off Street Car Parking Development Fund Policy.

Carried Unanimously 29/18

- (2) The review of the Policy to introduce a minimum contribution per standard car park shortfall, rather than a discretionary contribution.

Carried Unanimously 30/18

- (3) Council investigate a minimum payment for each standard car parking space shortfall as no less than \$10,000 and up to \$30,000 per space.

Carried 31/18

- (4) Council receive a report at the March 2018 Ordinary Meeting in respect to the policy review.

Carried Unanimously 32/18

ITEM 10: QUESTIONS WITH NOTICE:

Item 10.1 Mayor David O'Loughlin

In relation to the shared car park between Rose and Myrtle Streets in Prospect:

Question 1

If the City of Prospect owns the land along the western boundary, is it legal for a private owner to seek to control the use of this land by putting up parking restriction signs?

Answer 1

No.

Question 2

Do the shared parking agreements that have been in place via Land Management Agreements (LMAs) allow private owners to install parking restriction signs on land owned by the City of Prospect?

Answer 2

No.

Question 3

If the answers to 1 and 2 are 'no', why has the owner of the land, the City of Prospect, not removed the signs forthwith?

Answer 3

In 1996 Council allocated funds to establish a shared car park between Rose and Myrtle Streets, Prospect to provide public parking. The concept plan for the car park included the closure of Briar Lane and was contingent on agreement being reached with the owners of the properties between 100 and 112 Prospect Road for the ongoing use of private land within the car park to provide public car parking. Through the use of a Land Management Agreement or Lease (between land owners and Council) the Rose/Myrtle Street car park was established in 1997 and remains today.

In late 2017 in the lead-up to the opening of the nearby cinema complex, staff investigated the potential to enforce timed parking in the Rose Street/Myrtle Street car park. Council received legal advice confirming that to enforce timed car parking within the Rose/Myrtle Street car park that Council and land owners should enter into a 'Parking Enforcement Deed of Agreement'. This Deed would allow Council to erect Australian Standard signage and enforce timed car parking under the provisions of the Australian Road Rules and the Road Traffic Act 1961. Part of the car park is Council land (Briar Lane) and the majority is private land that is subject to the LMA or lease.

A draft deed was prepared that would allow Council to enter the private land and consistently enforce the requirements of the car parking provisions. This document would form an agreement between Council and the land owners allowing Council to enforce the relevant car parking provisions. The draft deed was provided to the land owners (excluding the property owner of 100 Prospect Road as he is not a party to the initial LMA that established the car park) in October/November 2017 with a request for them to review the draft deed and contact Council around their interest in entering a parking deed with Council. It was made clear that without a signed 'Parking Enforcement Deed of Agreement' Council will not be able to enforce timed parking within the whole of the Rose/Myrtle Street Shared Car Park.

As our focus has been on building relationships with land owners to establish a common solution for the car park in the collective best interest of Council, the land owners and the broader community, a conscious decision was made to deal with the unauthorised signage stating 45 minute parking once the Deed was implemented. As this has not yet occurred, Administration has not yet actioned to remove these signs.

Question 4

Do the shared parking agreement LMAs allow private owners to install parking restriction signs on land they own but have agreed to share as a combined car park? (Note some of them have other land inside their fence lines that I assume they have full control over).

Answer 4

The LMA is silent on this. However, Clause 3.3.1.1 of the Land Management Agreement pertaining to the property situated at 102 Prospect Road regarding use of the land states: "to use the Land for the purposes and activities consistent with those of a public thoroughfare and public car park and not to use the Land for any other purpose or activity without the prior consent in writing of the Council (and such consent may be withheld for any reason whatsoever)."

Question 5

Are any of the private parking restriction signs enforceable, and if so by what process?

Answer 5

The 45 minute private parking area established at the Northern end of the Rose/Myrtle Street car park basically states that by driving past a 'conditions of entry' sign at the front, you've effectively entered into a contract and agreed to comply with their regulations and if broken, they could try to get compensation for 'breach of contract'. Private car park operators are unable to issue their own parking fines or enforce them in court so they issue a notice instead. While these may look like a parking ticket, they're not. Unlike other parking areas, the amounts claimed aren't set out under South Australian laws. For these reasons it is unlikely that this area is truly enforceable. If questioned, the expiation may be invalid.

Question 6

Elected Members have been informed that Council staff are seeking a combined timed limit and enforcement regime over the shared car park to assist in vehicle turnover. Can you inform us of the status of these discussions?

Answer 6

Although Administration has been pursuing a Deed with land owners that would allow Council to enter the private land and enforce the requirements of the car parking provisions within the entire car park, it is not a valued use of Council resources to continue down this path indefinitely and to date there has been very limited interest from building owners in being a party to the proposed car parking deed. Therefore a solution for the car park is proposed to be determined as part of the car parking review scheduled in April 2018 which will include undertaking a secondary parking survey to understand the demand / impacts of parking associated with the Cinema 3-4 months after its opening.

Question 7

If agreed, will this arrangement require new LMAs to be agreed to by each owner or can it be agreed via a separate agreement with each owner?

Answer 7

No the car parking deed (should they be progressed) will via a separate deed.

Question 8

Can it be agreed to, and enforced by Council, by one owner at a time?

Answer 8

Yes however this is not our preferred option as we are seeking one solution for the whole of the car park which will provide consistent parking conditions for motorists. Consideration of the issue as part of the broader strategic parking response to localised issues is preferred.

ITEM 11: QUESTIONS WITHOUT NOTICE:

Questions asked by Elected Members were responded to by Mayor D O'Loughlin and staff.

ITEM 12: REPORT OF COMMITTEES / REGIONAL SUBSIDIARIES / OTHER BOARDS

Nil.

ITEM 13: Reports for Decision**Item 13.1 Use of Common Seal – Transfer of One Card Agreement to Libraries Board of South Australia**

Mayor D O'Loughlin declared a Perceived Conflict of Interest at Agenda Item 3.1 in relation to Item 13.1 'Use of Common Seal – Transfer of One Card Agreement to Libraries Board of South Australia'. Mayor D O'Loughlin stayed in the chamber and participated in the discussion.

Cr A De Backer moved Cr M Standen seconded

- (1) Council having considered Item 13.1 Use of Common Seal – Transfer of One Card Agreement to Libraries Board of South Australia, that pursuant to Section 38(2) Local Government Act 1999 resolve to affix the common seal for the execution of the South Australian One Library Management System (Substituted Contract) dated 15 January 2018 (as presented in Attachments 2-6).

Carried Unanimously 33/18

Item 13.2 Investment Attraction Strategy for Main North Road and North East Road

Cr M Standen moved Cr A De Backer seconded

- (1) That the Investment Attraction Strategy for Main North Road and North East Road is approved by Council. That the above Strategy is used as a basis for the engagement with businesses and the update of an Investment Prospectus.
- (2) Council collaborate with the Town of Walkerville in the implementation of the Investment Attraction Strategy.
- (3) That engagement with businesses in anchor precincts is undertaken with a focus on Priority Area 1 and other areas based on support from local businesses.
- (4) That the Chief Executive Officer is delegated to write to the Chief Executive Officer of Port Adelaide Enfield Council to highlight the Investment Attraction Strategy and seek support for collaboration on the redevelopment of both North Park and Sefton Plaza.

Carried Unanimously 34/18

Item 13.3 Draft Leasing and Licencing Policy – Community Consultation

Cr A De Backer moved Cr K Barnett seconded

- (1) Council, having considered Item 13.3 Draft Leasing and Licencing Policy – Community Consultation, proceed with community consultation on the draft Leasing and Licencing Policy for a period of 6 (six) weeks.
- (2) Following public consultation a report be presented to Council on the outcomes of the consultation process and for endorsement of the Leasing and Licencing Policy.

Carried Unanimously 35/18

Item 13.4 Draft Open Space Strategy – Community Consultation

Cr M Groote moved Cr K Barnett seconded

- (1) Council, having considered Item 13.4 'Draft Open Space Strategy' (as provided in Attachments 1-86), proceed with community consultation for a period of 6 (six) weeks.
- (2) Following public consultation a report be presented to Council on the outcomes of the consultation process and for endorsement of the Open Space Strategy.

Carried Unanimously 36/18

Item 13.5 Order to Borrow - Local Government Finance Authority

Cr T Evans moved Cr A De Backer seconded

- (1) Council having considered Item 13.5 Order to Borrow - Local Government Finance Authority of 27 February 2018, receive and note the report.
- (2) Council pursuant to Section 135 Local Government Act 1999 authorise the Chief Executive Officer to borrow up to \$3,492,000 from the Local Government Finance Authority against the security of Council's general rating revenue, in the form of a fixed credit foncier debenture, for a term of fifteen (15) years.
- (3) Council pursuant to Section 38(2) Local Government Act 1999 resolve to affix the common seal for Council execution of the Debenture Agreement.

Carried Unanimously 37/18

Cr M Lee entered the meeting at 8.17pm.

Subject to Confirmation

Item 13.6 Broadview Oval Fitness Track Concept Plan

Cr A Harris moved Cr M Standen seconded

- (1) Council having considered Item 13.6 Broadview Oval Fitness Track Concept Plan, endorse the Broadview Oval Fitness Track concept plan (as presented in Attachment 1), and suggested amendments contained in this report, to proceed to documentation stage.

Carried Unanimously 38/18

Item 13.7 Civic Centre Transition Arrangements Budget

Cr A Harris moved Cr T Evans seconded

- (1) The Council having considered Item 13.7 Civic Centre Transition Arrangements Budget receive and note the report.
- (2) Council make an adjustment to the 2017-2018 budget as part of the Third Budget Review, to bring forward \$55,000 from the 2018-2019 projected budget for the Civic Centre Transition.
- (3) Council to receive an updated report on the analysis of the direct transition costs as opposed to the new build related costs.

Carried Unanimously 39/18

Item 13.8 Local Government Association – 2018 Ordinary General Meeting – Notice of Motion

Cr K Barnett moved Cr A De Backer seconded

- (1) Council having considered Item 13.8 Local Government Association – 2018 Ordinary General Meeting – Notice of Motion, endorse the following motion to be sent to the Local Government Association for consideration of inclusion in the agenda for the Ordinary General Meeting to be held on 13 April 2018:
 1. That the Ordinary General Meeting requests the LGA to write to the relevant authority to seek amendments to the Building Code of Australia (or relevant Australian Standards) to establish a minimum height clearance standard (or minimum distance from the site) for car parking spaces and car parking facilities to enable Access Taxis and/or similar vehicles, designed for people with disability, to access appropriate parking spaces.

Mayor D O'Loughlin sought leave of the meeting, with the consent of the mover and seconder of the Motion to vary the Motion:

1. That the Ordinary General Meeting requests the LGA to write to the relevant authority to seek amendments to the Building Code of Australia (or relevant Australian Standards) to establish a minimum height clearance standard for car parking including for car parking spaces and car parking facilities to enable Access Taxis and/or similar vehicles, designed for people with disability (or minimum distance from the site), to access appropriate parking spaces.

Leave granted.

The motion as varied:

- (1) Council having considered Item 13.8 Local Government Association – 2018 Ordinary General Meeting – Notice of Motion, endorse the following motion to be sent to the Local Government Association for consideration of inclusion in the agenda for the Ordinary General Meeting to be held on 13 April 2018:

1. That the Ordinary General Meeting requests the LGA to write to the relevant authority to seek amendments to the Building Code of Australia (or relevant Australian Standards) to establish a minimum height clearance standard for car parking including for car parking spaces and car parking facilities to enable Access Taxis and/or similar vehicles, designed for people with disability (or minimum distance from the site), to access appropriate parking spaces.

Carried Unanimously 40/18

Item 13.9 Periodic Legislative Delegations Review – February 2018

Cr A Harris moved Cr M Groote seconded

1. Revocations

- 1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

- Development Act 1993 and Development Regulations 2008
- Heavy Vehicle National Law (South Australia) Act 2013
- Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014

- 1.2 Hereby revokes its previous delegations to its Council Assessment Panel under the Development Act 1993 and Development Regulations 2008.

2. Delegations made under Local Government Act 1999

- 2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachment 1-122 (each of which is individually identified as indicated below) are hereby delegated this 27th of February 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- Heavy Vehicle National Law (South Australia) Act 2013 (Attachments 113-117)
- Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Attachments 118-122)

- 2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

3. Delegations made under Development Act 1993

- 3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 27 February 2018 and entitled Periodic Legislative Delegations Review – February 2018 and marked Attachment 1-112) are hereby delegated this 27th of February 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
- 3.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the Report dated 27 February 2018 and entitled Periodic Legislative Delegations Review – February 2018 and marked Attachment 1-112) are hereby delegated to the Council Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

4. Authorisations and Sub delegation under the Road Traffic Act 1961

- 4.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

Simon Bradley; Pam Andritsakis

- 4.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

Simon Bradley; Pam Andritsakis

- 4.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub delegation (annexed to the Report dated 27 February 2018 and entitled Sub delegation to the Chief Executive Officer under the Road Traffic Act 1961 made in accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure and marked Attachment 123-134) is hereby sub-delegated this 27th day of February 2018 to the person occupying the office of Chief Executive Officer of the Council subject to:

- (i) the conditions contained in the Instrument; and
- (ii) any conditions contained in this Resolution or in the Instrument of Sub delegation; and
- (iii) the creation of a separate instrument in writing reflecting such sub delegation under the Instrument and this Resolution.

- 4.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management plans:

Simon Bradley; Pam Andritsakis; Helen Robins

Subject to Confirmation

5. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013

- 5.1 In exercise of the powers contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013 (as relevant) the powers and functions under the Heavy Vehicle National Law (South Australia) Act 2013 contained in the proposed Instrument of Delegation (annexed to the Report dated 27 February 2018 and entitled Instrument of Delegation to Delegations under the Heavy Vehicle National Law (South Australia) Act 2013 and marked Attachments 113-117 are hereby delegated this 27th of February 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.
- 5.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.

Carried Unanimously 41/18

Item 13.10 Council Principal Office

Cr A Harris moved Cr M Groote seconded

- (1) Council having considered Item 13.10 Council Principal Office dated 27 February 2018 receive and note the report, and
- (2) Council nominate 126 Prospect Road, Prospect as the principal office from Monday 26 March 2018, and after completion of construction of the premises, the principal office will be 128 Prospect Road, Prospect, and
- (3) Council determine that it does not consider public consultation is necessary due to the change being insignificant, and likely to be of no or little impact or interest to the community.

Carried Unanimously 42/18

Item 13.11 Project Update – Community Hub, Library & Innovation Centre

Cr M Groote moved Cr T Evans seconded

- (1) Council having considered Item 13.11 Project Update – Community Hub, Library & Innovation Centre receives and notes the progress update for the Community Hub, Library and Innovation Centre for the period 24 January 2018 until 27 February 2018.
- (2) Council supports the inclusion of a Changing Places Facility within the Community Hub, Library and Innovation Centre at a cost of approx. \$40,000, subject to agreement from the Department for Communities and Social Inclusion to provide the necessary funding by no later than 13 March 2018.

Carried Unanimously 43/18

Item 13.12 Community Hub, Library & Innovation Centre (CLIC) Community Engagement Findings

Cr M Groote moved Cr K Barnett seconded

Subject to Confirmation

- (1) Council having considered Item 13.12 Community Hub, Library & Innovation Centre Community Engagement Findings, acknowledges the fulfilment of a range of engagement activities as having informed residents of the completion of the concept design phase for the Community Hub, Library and Innovation Centre project, and
- (2) Comments and contributions provided by residents in response to the Community Hub, Library and Innovation Centre concept design, endorsed by Council in December 2017 as suitable for broad community consultation, will be actively considered by the project team for incorporation into the final design outcome for the facility as assessed against the adopted design principles for the project.

Carried Unanimously 44/18

ITEM 14: PROTOCOL:

As per Council's protocol, only those items reserved by members will be debated.

The following items were reserved:

Nil.

Recommendations adopted en bloc:

Nil.

ITEM 15: Reports for Information**Item 15.1 – Strategic Plan to 2020 Information Report to December 2017**

Cr K Barnett moved Cr A Harris seconded

- (1) Council having considered Item 15.1 Strategic Plan to 2020 Information Report to December 2017, receives and notes the Report.

Carried Unanimously 45/18

Item 15.2 Eastern Region Alliance Chairman and CEO Report

Cr T Evans moved Cr A Harris seconded

- (1) Council having considered Item 15.2 Eastern Region Alliance Chairman and Chief Executive Officer Report receive and note the report.

Carried Unanimously 46/18

Item 15.3 Export Hub Incubator and GigCity Update

Cr T Evans moved Cr A De Backer seconded

- (1) Council having considered Item 15.3 Export Hub Incubator and GigCity Update receive and note the report.

Carried Unanimously 47/18

ITEM 16: COUNCIL DIARY:

Mayor D O'Loughlin brought Members' attention to forthcoming diary dates.

Subject to Confirmation

ITEM 17: GENERAL BUSINESS – URGENT MATTERS:

Nil.

ITEM 18: CONFIDENTIAL ITEMS:**Item 18.1 Waste Disposal Contract**

Cr M Groote moved Cr A Harris seconded

(1) Order to pursuant to Section 90(3)(k)

That under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Cate Hart, Chief Executive Officer; Chris Hannaford, Director Business and Innovation; Nathan Cunningham, Director Community & Planning; Ginny Moon, Director Corporate Services; Simon Bradley, Director Infrastructure & Environment; Jo-Ann Tanti, Manager Governance & Administration and Jasmyn Page, Minute Secretary; be excluded from attendance at the Ordinary meeting of Council in order to consider in confidence Agenda Item 18.1 Waste Disposal Contract of 27 February 2018.

Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

- On the grounds provided by Section 90(3)(k) of the Act, information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services in that they are for the provision of waste management services for the Council and Community.
- 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 information to be discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

Carried Unanimously 48/18

The Mayor sought leave of the meeting to suspend meeting proceedings to discuss Item 18.1 on the agenda until 9.45pm.

Leave granted.

Meeting proceedings were suspended at 9.31pm.

Cr K Barnett left the meeting at 9.31pm.

Cr K Barnett re-entered the meeting at 9.32pm.

Meetings proceedings resumed at 9.45pm.

Item 18.1 Waste Disposal Contract (continued)

Cr A Harris moved Cr M Standen seconded

Subject to Confirmation

(2) This Item was dealt with "in confidence".

(3) This Item was dealt with "in confidence".

Carried Unanimously 49/18

Cr M Groote moved Cr M Standen seconded

(4) Order Pursuant to section 91(7)

That in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 18.1 for the Ordinary meeting of Council held on 27 February 2018 was received, discussed and considered in confidence pursuant to Section 90(3)(k) of the Local Government Act 1999, this meeting of the Council, does order that the agenda item, report and attachments and any other associated information submitted to this meeting and the minutes of this meeting in relation to the matter remain confidential and not available for public inspection until the contract has been signed and all tenderers have been notified.

Carried Unanimously 50/18

The meeting closed at 9.52pm.

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Mayor D O'Loughlin
27 March 2018