

**MINUTES OF CONFIDENTIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 19 NOVEMBER 2019 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Ben Hood, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Acting General Manager Council Business Services	- Mr J Zwijnenburg
	Manager Development Services	- Mrs T Tzioutziouklaris
	Media and Communications	- Mrs A Watson
	Executive Administration Officer	- Mrs F McGregor

26 NEW CONFIDENTIAL ITEMS

Pursuant to Section 74 of the Local Government Act 1999, Cr Bruins disclosed a material conflict of interest in Item 26.1:

"I am a Board Member of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Cr Bruins did not participate in the meeting for Item 26.1.

Cr Bruins left the meeting at 11.51 p.m.

26.1 BLUE LAKE HOLIDAY PARK - PROPERTY MATTERS – REPORT NO. AR19/54537

RESOLUTION 2019/377

Moved: Cr Steven Perryman

Seconded: Cr Kate Amoroso

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR19/54537 Blue Lake Holiday Park - Property Matters.

The Council is satisfied that, pursuant to section 90(3) (b) and (d) of the Act, the information to be received, discussed or considered in relation to the 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; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

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 information to be considered relates to a proposal presented by a commercial tenant and discussion on including on potential commercial terms, the disclosure of which could give a commercial advantage to a 3rd party, prejudice the Council's position and reveal commercial in-confidence information regarding the tenants business activities.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 26.1:



"I have a family member on the board of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Cr Mayor Martin did not participate in the meeting for Item 26.1.

Mayor Martin left the meeting at 11.53 p.m.

MOTION

RESOLUTION 2019/378

Moved: Cr Steven Perryman

Seconded: Cr Kate Amoroso

That Cr Frank Morello be appointed Chair in Mayor Martin's absence.

CARRIED

RESOLUTION 2019/379

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR19/54537 titled 'Blue Lake Holiday Park - Property Matters' as presented on 19 November 2019 be noted.
2. That the Chief Executive be authorised to commence public consultation on a proposed lease of the Blue Lake Holiday (Caravan) Park to the existing operators for a period of 21 years with a right of renewal for a further period of 21 years.
3. That a further report be presented to Council to consider any submissions received on the proposed lease of the Blue Lake Holiday (Caravan) Park and whether to grant a lease for a further extended period of 21+21 years.
4. In the event that no submissions are received (or no submissions are received objecting to the proposal), the Chief Executive Officer be authorised to negotiate, have prepared, and to affix the Council Seal to any documents necessary to give effect to a lease of the Blue Lake Holiday (Caravan) Park on Bay Road comprising the whole of Allotment 101 in Certificate of Title 5961/294 to the Blue Lake Holiday Park Pty Ltd and BLHP Nominees Pty Ltd.

CARRIED

RESOLUTION 2019/380

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 26.1 AR19/54537 Blue Lake Holiday Park - Property Matters and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (d) be kept confidential and not available for public inspection until 12 months have elapsed, or 12 months after an agreement has been entered into with the proponent, whichever is the later.



2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

CONFIDENTIAL

