

Reference: AF11/877
Enquiries to: Ms Sarah Philpott

MEMBERS

NOTICE is hereby given that the Mayor has called a Special Meeting of the Council to be held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier on the following date and time:

Thursday 12 August 2021 - Council Chamber - Civic Centre (commencing at 5:15 pm)

For the purpose of:

1. Wulanda Recreation and Convention Centre Loan Structures

Please find Agenda attached.



Sarah PHILPOTT
CHIEF EXECUTIVE OFFICER

12 August 2021



City of
Mount Gambier

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I hereby give notice that a Special Meeting of Council will be held on:

Date: Thursday, 12 August 2021
Time: 5.15 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Special Council Meeting 12 August 2021

**Sarah Philpott
Chief Executive Officer
12 August 2021**

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGIES

That the apology(ies) from Cr Kate Amoroso and Cr Paul Jenner be received.

3 LEAVE OF ABSENCE

Nil



4 NEW CONFIDENTIAL ITEMS

4.1 WULANDA RECREATION AND CONVENTION CENTRE LOAN STRUCTURES – REPORT NO. AR21/50825

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 S Philpott, B Cernovskis, D Barber, T Coote and G Davison be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR21/50825 Wulanda Recreation and Convention Centre Loan Structures.

The Council is satisfied that, pursuant to section 90(3) (b) and (g) 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
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

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 discussed relates to the lending arrangements associated with funding for the Wulanda Recreation and Convention Centre project. The information to be discussed includes information that is subject to an existing confidential order of Council that remains in operation. The disclosure of which could prejudice Council's commercial position and could impact on obtaining best value for the community.

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 4.1 AR21/50825 Wulanda Recreation and Convention Centre Loan Structures 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 (g) be kept confidential and not available for public inspection until relevant loan contracts are fully amortised and that this order be reviewed every 12 months.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



5 MEETING CLOSE

