

**CONFIDENTIAL MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 21 JULY 2020 AT 6.00 P.M.**

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

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
Media and Communications Coordinator	- Mrs A Watson
Manager Executive Administration	- Mr M McCarthy
Executive Administration Officer	- Mrs E Solly

27.1 PROPERTY MANAGEMENT - EXPIRY OF AGREEMENT – REPORT NO. AR20/44292

RESOLUTION 2020/291

Moved: Cr Christian Greco
Seconded: Cr Frank Morello

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 Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy, A Watson and E Solly be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR20/44292 Property Management - Expiry of Agreement.

The Council is satisfied that, pursuant to section 90(3) (a), (b), (d) and (i) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- 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
- information relating to:
 - actual litigation, or
 - litigation that the Council or Council committee believes on reasonable grounds will take place,
 - involving the Council or an employee of the Council

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 operations by individuals whose arrangements with Council comprise their personal financial affairs associated with the use of a Council controlled asset to conduct a business operation for which Council is exploring alternate delivery options, and the expiry and non-renewal of which could reasonably be expected to result in litigation.

CARRIED



RESOLUTION 2020/292

Moved: Cr Max Bruins
Seconded: Cr Christian Greco

1. That Council Report No. AR20/44292 titled 'Property Management - Expiry of Agreement' as presented on 21 July 2020 be noted.
2. That Garry and Patricia Turner be thanked for their many years of tourism service at the Blue Lake.
3. That, as sub-licensees of the Blue Lake Welcome Centre, the Turners be notified of the expiry and non-renewal of sub-licence arrangements on and from 30 November 2020 and that Council seek the quiet surrender of the premises in accordance with their Sub-Licence.
4. That the Chief Executive Officer be authorised to take such action as considered reasonably necessary for the handover of the Blue Lake Welcome Centre premises in accordance with the Sub-Licence.
5. That the Chief Executive Officer (or delegate/s) continue engagement with SA Water and Crown Lands (DEW) with a view to securing future tenure arrangements for the perimeter area around the Blue Lake and/or partnership arrangements for the activation of natural and built cultural and tourism assets in this precinct.
6. That a further report be presented to Council to provide an update on the matters contained in this report once the relevant actions have been undertaken.

CARRIED

RESOLUTION 2020/293

Moved: Cr Max Bruins
Seconded: Cr Christian Greco

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 27.1 AR20/44292 Property Management - Expiry of Agreement 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) (a), (b), (d) and (i) be kept confidential and not available for public inspection until 5 years after the expiry and non-renewal of arrangements with the current tenant, with the resolutions to be released immediately upon the giving of notice to the 3rd party operators.
2. Further that Council delegates the power to review, revoke, but extend 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

