

Reference: AF11/877 FM  
Enquiries to: Mr Mark McShane

## **MAYOR MEMBERS**

NOTICE is hereby given that I have 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:

Friday, 2<sup>nd</sup> December, 2016 - Council Chamber – Civic Centre (commencing at 12.00 p.m.)

For the purpose of:

1. A Presentation, In Confidence, on matters relating to the Flytower.

An Agenda for the meeting to be held on the 2<sup>nd</sup> December, 2016 to be held at 12.00 p.m. is attached to this notice.



**Andrew LEE**  
MAYOR

1st December, 2016

## CONFLICT OF INTEREST DISCLOSURE FORM

I \_\_\_\_\_,  
(insert name)

have received a copy of the agenda for the  ordinary  special meeting of the

\_\_\_\_\_  Council  Committee  Board  
(insert full name of Committee/Sub-Committee/Board)

to be held on: \_\_\_\_\_  
(insert date of meeting)

### CONFLICT OF INTEREST DISCLOSURE

I consider that I have a:

**material** conflict of interest pursuant to section 73 (complete and sign below)

**actual** or  **perceived** conflict of interest pursuant to section 74 (complete and sign overleaf)

of the *Local Government Act 1999* ("the LG Act") in relation to the following agenda item:

\_\_\_\_\_  
(insert details - include Agenda Item No, Report Number, Item/Report Subject Title)

which is to be discussed at that meeting.

## MATERIAL

The nature of my **material** conflict of interest is as follows [*ensure sufficient detail is recorded, including the reasons why you (or a person prescribed in section 73(1) of the LG Act) stands to obtain a benefit or suffer a loss depending on the outcome of the consideration of the matter at the meeting of the Council in relation to the agenda item described above*]:

In accordance with section 74(1)(b) I will be leaving the meeting room while the matter is being discussed and voted on.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

In accordance with section 75A(2)(b) I propose  to  not to participate in the meeting in relation to the matter.

## ACTUAL

The nature of my **actual** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why the conflict between your interests and the public interests might lead to a decision that is contrary to the public interest in relation to the agenda item described above]:*

Where I have proposed to participate in the meeting I intend to deal with my **actual** conflict of interest in the following transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the actual conflict of interest in a transparent and accountable way].*

OR

## PERCEIVED

The nature of the **perceived** conflict of interest is as follows *[ensure sufficient detail is recorded, including the reasons why you consider that an impartial fair-minded person could reasonably consider that you have a perceived conflict of interest in the matter].*

Where I have proposed to participate I intend to deal with the **perceived** conflict of interest in the following transparent and accountable way *[ensure sufficient detail is recorded as to the manner in which you intend to deal with the perceived conflict of interest in a transparent and accountable way].*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

CITY OF MOUNT GAMBIER

Special Meeting of Council to be held Friday 2<sup>nd</sup> December 2016 at 12.00 p.m.

AGENDA

PRESENT Mayor Andrew Lee, Cr Christian Greco, Cr Josh Lynagh, Cr Sonya Meziniec, Cr Frank Morello, Cr Des Mutton, Cr Steve Perryman, Cr Hanna Persello, Cr Penny Richardson, Cr Ian Von Stanke

COUNCIL OFFICERS: Director – Operational Services - Mr D Sexton

APOLOGIES: moved that the apology(ies) from Cr Lovett be received.

seconded

**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.**

**1. CONSIDERATION FOR EXCLUSION OF PUBLIC**

moved that the following items be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of Councillors Mayor Andrew Lee, Cr Christian Greco, Cr Josh Lynagh, Cr Sonya Meziniec, Cr Frank Morello, Cr Des Mutton, Cr Steve Perryman, Cr Hanna Persello, Cr Penny Richardson, Cr Ian Von Stanke and Council Staff Member Daryl Sexton) be excluded from the meeting in order for the item 'Contract - Design and Construction of Civic Centre Flytower Façade System - Ref. AF15/133' to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

- S.90(3)(d) - commercial information of a confidential nature (not being a trade secret) the disclosure of which:
  - (i) 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; and
  - (ii) would, on balance, be contrary to the public interest.
- S.90(3)(k) - tenders for the supply of goods, the provision of services or the carrying out of works.

The information contained in the item relates to the tender for the Design and Construction of the Civic Centre Flytower Façade System.

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 contains tender pricing from contractors including for separate components of works and that the author has given to Council as being of a Commercial in Confidence nature.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
2.	<u>FINANCIAL MANAGEMENT</u> - Contract - Design and Construction of Civic Centre Flytower Façade System - Ref. AF15/133	(d) & (k)

seconded