

MINUTES OF ORDINARY COUNCIL MEETING



MINUTES

MINUTES OF THE MEETING OF COUNCIL HELD ON 23 JANUARY 2024 COMMENCING AT 7:00 PM.

Present: Her Worship the Mayor, C. Boan, Presiding Member
Deputy Mayor, V. Tulloch
Councillors, A. Wotton, D. Wilkins, P. McGregor,
J. den Hartog, S. Vines, K. Mitchell, K.P. Dinh, W. Saeed,
O. Colombo, C.J. Martin, B. Clayton, P. Russell, H. Evans,
M.A. Basham, L. Panayiotou
Chief Executive Officer, M. Withers
Director Community Development, K. Fergusen
Director City Assets, F. Harvey
Director Corporate Services, A. Dickson
Team Leader Governance, K. Leighton
Governance Officer, C. Blackmore

Kaurna Acknowledgement

Before we begin the proceedings, I would like to acknowledge and pay respect to the Traditional Owners of the land on which we stand, the Kaurna People of the Adelaide Plains. It is upon their ancestral lands that the Port Adelaide Enfield Council meets. It is also The Place of the Kardi, the Emu, whose story travels from the coast inland.

We pay respect to Elders past and present. We respect their spiritual beliefs and connections to land which are of continuing importance to the living Kaurna people of today. We further acknowledge the contributions and important role that Aboriginal people continue to play within our shared community.

1 APOLOGIES

Cr M.J. Osborn

2 LEAVE OF ABSENCE

Nil

3 CONFIRMATION OF MINUTES

Cr. Russell moved that the minutes of the meeting of Council held on 12 December 2023, as per copy supplied to Members, be taken as read and confirmed.

Cr. Wotton seconded

CARRIED

4 DECLARATIONS BY MEMBERS OF CONFLICT OF INTEREST

Cr. Wilkins declared a general conflict of interest in relation to Item 16.2 "Notice of Motion – Largs Bay RSL, ANZAC Day Dawn Service".

Cr. Mitchell declared a general conflict of interest in relation to Item 14.2.2 "Power Purchase Agreement and Community Renewable Energy Opportunities".

Cr. den Hartog declared a material conflict of interest in relation to Item 12.2.5 "Heritage Grants Program".

Cr. den Hartog declared a general conflict of interest in relation to Item 13.2.2 "Port Adelaide Football Club – Land Owners Consent".

5 DEPUTATIONS

5.1 Deputation - Ms Kateryna Taraban - Environment Issues

Cr. Mitchell moved that Council resolves that the deputation received from Ms. Kateryna Taraban be received and noted.

FORMAL MOTION

Cr. Vines moved a formal motion that the meeting proceed to the next item of business.

Cr. Dinh seconded

CARRIED

5.2 Deputation - Matthew Richardson - Port Adelaide Football Club Boundary Fence

Cr. Russell moved that Council resolves that the deputation received from Matthew Richardson be received and noted.

Cr. Dinh seconded

CARRIED

The Mayor brought forward item 13.2.2 as the next item of business.

13.2.2 Port Adelaide Football Club - Land Owners Consent

Pursuant to Section 75 of the Local Government Act, Cr. den Hartog declared a general conflict of interest in relation to this item as he has a previous relationship with the Port Adelaide Football club as a sponsor of a business that he runs. Cr. den Hartog will deal with the general conflict by remaining in the chamber and exercising his right to vote.

Cr. Tulloch moved that Council resolves that:

1. The report of the Director City Assets titled "Port Adelaide Football Club - Land Owners Consent" be received and noted.
2. Council provides Landowners Consent to the requested fencing variations as detailed below:
 - a. Increasing the height to 1.8 metres and changing the style of fencing to a vertical blade colourbond fence in 'Monument' finish along the southern end of Seventh Avenue, Alberton (adjacent the new soccer pitch);
 - b. Extend the 3 metre chain wire fence around the western boundary of the new soccer pitch;
3. Council provides Landowners Consent to the newly requested fencing as detailed below:
 - a. Erect a 1.8 metre high vertical blade colourbond fence in 'Monument' finish along the Northern end of Seventh Avenue, Alberton, around the carpark and continuing to Brougham Place adjacent the Lone Pine Memorial.
4. Council provides Landowners Consent for manual gates to be installed subject to the condition that these gates stay open to the Community at all times, apart from Council approved times, for gates at the below listed locations:
 - a. Vehicle Entry Point adjacent to Seventh Avenue, Alberton southern Carpark (Licensed Area);
 - b. Vehicle Entry Point adjacent to Seventh Avenue, Alberton Northern Carpark (Grounds Leased Area).

Cr. Clayton seconded

CARRIED

Cr. den Hartog voted in favour of the motion

Cr. Vines called a division, the Mayor set the vote aside.

For: Cr. Wotton, Cr. Tulloch, Cr. Wilkins, Cr. den Hartog, Cr. Mitchell, Cr. Saeed, Cr. Dinh, Cr. Colombo, Cr. Martin, Cr. Clayton, Cr. Evans, Cr. Basham and Cr. Panayitou

Against: Cr. McGregor, Cr. Vines and Cr. Russell.

The Mayor declared the item **CARRIED**

6 ADJOURNED DEBATE

Nil

7 MAYOR'S REPORT

7.1 Mayor's Report - 1 December 2023 to 31 December 2023

Cr. Evans moved that Council resolves that the report of the Director Corporate Services titled "Mayor's Report - 1 December 2023 to 31 December 2023" be received and noted.

Cr. Martin seconded

CARRIED

8 PETITIONS

Nil

9 REPORTS BY COUNCIL DELEGATES

Nil

10 QUESTIONS WITHOUT NOTICE

Cr. Vines asked the following questions:

Is the Historical Reference section at the Port Adelaide Library being dismantled?

Council is developing collection as per Collection Development Policy. There is no activity happening other than normal business. The team is planning activities for History month in May that is celebrated through South Australia and will be highlighting local history across the entire Port Adelaide and Enfield area.

Cr. Vines moved that question and answers are included in the minutes.

Cr. Mitchell seconded

CARRIED

11.1 Question on Notice – Cr Wilkins - Hard Waste Collection Service

Question

1. For each calendar year of 2022 and 2023, how many household in the City of Port Adelaide Enfield accessed (a) zero, (b) one, (c) two, (d) three and (e) four hard waste collection services?
2. Please provide a breakdown of this data by Council Ward.

Answer

TAKE UP OF PAE HARD WASTE COLLECTION SERVICES FOR 2022 AND 2023 Number Of Households and by Ward

2022

Note that for this year all residential properties were entitled to 4 kerbside hard waste collections per calendar year. Council reviewed requests for an additional fifth hard waste collection on a case by case basis. Requests were approved for extenuating circumstances such as clearing out deceased estates or new property owners where previous occupants have utilised all entitlements.

Number of Bookings per Property								
WARD	0	1	2	3	4	5	Total properties accessing service	Total hard waste bookings (by ward)
ENFIELD		1823	487	148	44	1	2503	3422
KLEMZIG		1160	304	74	22	1	1561	2083
NORTHFIELD		1767	527	167	46		2507	3506
OUTER HARBOR		1429	459	128	43	3	2062	2918
PARKS		1802	511	134	47	2	2496	3424
PORT ADELAIDE		1344	341	108	30	1	1824	2475
SEMPAHORE		1382	378	119	28		1907	2607
Total properties accessing service	43158	10707	3007	878	260	8	14860	
Total hard waste bookings		10707	6014	2634	1040	40		20435

2023

Note that in December 2023, as part of the implementation of the new Waste Management Service Standard, Council changed the hard waste entitlements to offer a flexible service. Effective 4 December 2023 residential properties access to hard waste services changed, with an ability to access up to 3 services per calendar year. Services comprise kerbside collection as well as hard waste vouchers, with residents being able to choose their preferred service/s based on their own needs. Of their 3 service per calendar year entitlement, 2 of these could include a hard waste voucher.

Community groups, churches, not for profit and sporting groups received a maximum of 2 hard waste vouchers per calendar year.

Properties seeking 5 services a year were again considered on a case by case basis in relation to extenuating services.

Number of Bookings per Property								
WARD	0	1	2	3	4	5	Total properties accessing service	Total hard waste bookings (by ward)
ENFIELD		2113	615	200	64	3	2992	4214
KLEMZIG		1408	391	104	41	6	1944	2696
NORTHFIELD		2219	588	136	51	11	2994	4062
OUTER HARBOR		1341	548	245	115	15	2249	3707
PARKS		1817	592	198	98	12	2705	4047
PORT ADELAIDE		1289	447	176	76	7	1988	3050
SEMPAHORE		1307	497	197	84	12	2085	3288
Total properties accessing service	41368	11494	3678	1256	529	66	17023	
Total hard waste bookings		11494	7356	3768	2116	330		25064

The Mayor brought forward item 16.4 as the next item of business.

16.4 Motion on Notice - Mayor Boan - Disruptive and illegal behaviours

Mayor Boan moved that Council resolves that due to disruptive and illegal behaviours at some local PAE reserves, we request for:

- regular visits to be made at reported sites to ensure our public spaces are able to be used by our community, as they are intended.
- rubbish and waste to be regularly removed from these sites.
- SAPOL to be contacted when behaviours noticed cannot be dealt with by Council.

Cr. Saeed seconded

LOST

MOTION

Cr. den Hartog moved that:

1. The Council acknowledges the difficult and disturbing situations residents are experiencing due to anti-social behaviour, illegal activities and littering perpetrated by transient people occupying Joyce Snadden Reserve and Port Canal Reserve.
2. The Council acknowledges the work that has been done to date by Council Staff and partner organisations trying to mitigate the complex cases and situations present in both reserves.
3. Council requests an urgent briefing from the Council CEO on the measures and actions the Administration currently has in place and other available measures that can be considered to deal with these continuing problems.
4. That a report come back to the next meeting of Council on the outcomes.

Cr. Vines seconded

CARRIED

12 **DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS**
12.1 **Information Reports**

12.1.1 **Outstanding Matters - Community Development**

Cr. Evans moved that Council resolves that the report of the Director Community Development titled "Outstanding Matters - Community Development" be received and noted.

Cr. Martin seconded

CARRIED

12.1.2 **Creative Port Plan**

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Creative Port Plan" be received and noted.

Cr. Mitchell seconded

CARRIED

12.1.3 **Flagship Event Update 2023-2024**

Cr. Russell moved that Council resolves that the report of the Director Community Development titled "Flagship Event Update 2023-2024" be received and noted.

Cr. Mitchell seconded

CARRIED UNANIMOUSLY

12.1.4 **One Culture Football - The Football Connection Project Update**

Cr. Martin moved that Council resolves that the report of the Director Community Development titled "One Culture Football - The Football Connection Project Update" be received and noted.

Cr. Clayton seconded

CARRIED

12.1.5 **Preaching Permits**

Cr. Martin moved that Council resolves that the report of the Director Community Development titled "Preaching Permits" be received and noted.

Cr. Clayton seconded

CARRIED

12.1.6 Period Products

Pursuant to Section 75 of the Local Government Act, Cr. Colombo declared a general conflict of interest in relation to this item as Taboo is a Former Client of former accounting workplace. Cr. Colombo will deal with the general conflict by remaining in the chamber and exercising her right to vote.

Cr Dinh withdrew from the chamber at 8.55pm
Cr Dinh re-entered the chamber at 8.57pm

Cr. Panayiotou moved that Council resolves that:

1. The report of the Director Community Development titled "Period Products" be received and noted.
2. The Administration investigates future distribution proposals including more targeted approaches utilizing learnings from the trial and reports back on its options to Council within 3 months.

Cr. Evans seconded

CARRIED

Cr. Colombo voted in favour of the motion

12.2 Decision Reports

12.2.1 Policy - Public Access to the Internet

Cr. Russell moved that Council resolves that:

1. The report of the Director Community Development titled "Policy - Public Access to the Internet" be received and noted.
2. Council Policy CD26 "Public Access to the Internet" as provided in Attachment 2 is endorsed.

Cr. Martin seconded

CARRIED

12.2.2 Policy - Dry Area

Cr. Clayton moved that Council resolves that:

1. The report of the Director Community Development titled "Policy - Dry Area" be received and noted.
2. Council Policy CD08 "Dry Area" as provided in Attachment 2 is endorsed as amended.

Cr. Martin seconded

CARRIED

12.2.3 Policy - Graffiti Management

Cr. McGregor withdrew from the chamber at 9.06pm.

Cr. McGregor re-entered the chamber at 9.09pm.

Cr. Basham moved that Council resolves that:

1. The report of the Director Community Development titled "Policy - Graffiti Management" be received and noted.
2. Council Policy CD07 "Graffiti Management" as provided in Attachment 2 is endorsed as amended.

FORMAL MOTION

Cr. den Hartog moved a formal motion to adjourn the item to seek further feedback and input from Council's Arts Officers.

Cr. Evans seconded

CARRIED

Cr. Panayiotou withdrew from the chamber at 9.13pm.

12.2.4 Augmentative and Alternative Communication Boards

Cr. Basham withdrew from the chamber at 9.18pm.

Cr. Basham re-entered the chamber at 9.20pm

Cr. Russell moved that Council resolves that:

1. The report of the Director Community Development titled "Augmentative and Alternative Communication Boards" be received and noted.
2. Council resolves to support the installation of Communication Boards in all remaining Destination and Community playgrounds that currently do not have a communication board.
3. The required additional funding of \$94,530 to install the Communication Boards be referred to the 2024-2025 annual budget process.

Cr. Mitchell seconded

FORMAL MOTION

Cr. Martin moved a formal motion to adjourn the item a future meeting.

Cr. Dinh seconded

CARRIED

12.2.5 Heritage Grants Program

Pursuant to Section 75 of the Local Government Act, Cr. den Hartog declared a material conflict of interest in relation to this item as he owns a heritage listed property within PAE. Cr. den Hartog will deal with the general conflict by remaining in the chamber and exercising his right to vote.

Cr. den Hartog withdrew from the chamber at 9.21pm.

Cr. Dinh moved that Council resolves that:

1. The report of the Director Community Development titled "*Review of Heritage Grants Program* " be received and noted.
2. The decision-making of the Heritage Grants Program be delegated to the administration.
3. The Heritage Grants Program be modified in structure to comprise a "rolling" 12-month grant program.

Cr. Tulloch seconded

CARRIED

Cr den Hartog re-entered the chamber at 9.28pm.

12.2.6 Arts Organisation Fund

Cr. Vines moved that Council resolves that:

1. The report of the Director Community Development titled "Arts Organisation Fund" be received and noted.
2. Funding of \$120,000 to establish a new Arts Organisation Fund, designed to attract and retain high quality arts organisations to the region, be referred to the 2024-2025 annual budget process
3. The Draft Arts Organisation Fund Guidelines, be adopted.

Cr. den Hartog seconded

LOST

Cr. Vines called a division, the Mayor set the vote aside.

For: Cr. Wotton, Cr. Tulloch, Cr. McGregor, Cr. den Hartog, Cr. Vines, Cr. Mitchell

Against: Cr. Wilkins, Cr. Saeed, Cr. Dinh, Cr. Colombo, Cr. Martin, Cr. Clayton, Cr. Evans, Cr. Russell and Cr. Basham.

The Mayor declared the item **LOST**

13 DIRECTOR OF CITY ASSETS REPORTS

13.1 Information Reports

13.1.1 Outstanding Matters - City Assets

Cr. Evans moved that Council resolves that the report of the Director City Assets titled "Outstanding Matters - City Assets" be received and noted.

Cr. Russell seconded

CARRIED

13.1.2 McKay Avenue Bus Only Treatment - 6 Month Update

Cr. Evans moved that Council resolves that the report of the Director City Assets titled "McKay Avenue Bus Only Treatment - 6 Month Update" be received and noted.

Cr. Russell seconded

CARRIED

13.2 Decision Reports

13.2.1 40 km/hr Speed Consultation for Klemzig (Partial)

Cr. Evans moved that Council resolves that:

1. The report of the Director City Assets titled "40 km/hr Speed Consultation for Klemzig (Partial)" be received and noted.
2. The 40km/hr local area speed limit in Klemzig (west of OG Road) not proceed at this time.
3. A review of traffic data be undertaken 12 month post completion of the traffic control devices associated with the LATM for Klemzig, Windsor Gardens & Holden Hill.
4. A report be provided following (3) above including further assessment regarding the feasibility of a 40km/hr local speed limit for Klemzig (west of OG Road).
5. The Town of Walkerville and the community be advised of (2), (3) & (4) above.

Cr. Russell seconded

CARRIED

13.2.2 Port Adelaide Football Club - Land Owners Consent

Item 13.2.2 was considered after item 5.2 “Deputations – Matthew Richardson – Port Adelaide Football Club Boundary Fence”.

14 DIRECTOR OF CORPORATE SERVICES REPORTS

14.1 Information Reports

14.1.1 Outstanding Matters - Corporate Services

Cr. Russell moved that Council resolves that the report of the Director Corporate Services titled “Outstanding Matters - Corporate Services” be received and noted.

Cr. Martin seconded

CARRIED

14.2 Decision Reports

14.2.1 Consultation on the Local Government Participation and Elections Review

The Mayor, with support of two thirds majority suspended meeting procedures at 9.41pm to facilitate informal discussions.

Cr. Tulloch withdrew from the chamber at 9.42pm.
Cr. Tulloch re-entered the chamber at 9.44pm.
Cr. McGregor withdrew from the chamber at 9.44pm.
Cr. McGregor re-entered the chamber at 9.49pm.
Cr. Dinh withdrew from the chamber at 9.57pm.
Cr. Colombo withdrew from the chamber at 9.57pm.
Cr. Dinh re-entered the chamber at 9.59pm.
Cr. Colombo re-entered the chamber at 9.59pm.
Cr. Clayton withdrew from the chamber at 10.07pm.
Cr. Clayton re-entered the chamber at 10.09pm.

The Mayor, with support of two thirds majority resumed meeting procedures at 10.12pm.

Cr. Basham moved that Council resolves that:

1. The report of the Director Corporate Services titled “Consultation on the Local Government Participation and Elections Review” be received and noted.
2. The Administration be authorised to finalise the Draft submission as amended (as per Attachment 2) and provide a copy to the Local Government Association to enable a sector wide response to the Office of Local Government.
3. The Draft submission as amended (as per Attachment 2) is used to complete the online survey response to the Office of Local Government.

Cr. Russell seconded

CARRIED

14.2.2 Power Purchase Agreement and Community Renewable Energy Opportunities

Cr. Wotton withdrew from the chamber at 10.15pm.

Pursuant to Section 75 of the Local Government Act, Cr. Mitchell declared a general conflict of interest in relation to this item as her current employer is an electricity retailer that specializes in renewable energy and corporate PPA arrangements. Cr. Mitchell will deal with the general conflict by remaining in the chamber and exercising her right to vote.

Cr. Mitchell moved that Council resolves that:

1. The report of the Director Corporate Services titled "Power Purchase Agreement and Community Renewable Energy Opportunities" be received and noted.
2. The update on Power Purchase Agreement options being explored as part of the procurement of electricity for Council operations is noted.
3. Investigations into community renewable energy opportunities for the Port Adelaide Enfield community are supported.
4. The results of the investigations into community renewable energy projects be reported back to Council for future consideration and decision in April 2024.

Cr. Russell seconded

CARRIED

Cr. Mitchell voted in favour of the motion

14.2.3 Open Space Grants Program - Applications

Cr. Mitchell withdrew from the chamber at 10.16pm.

Cr. Wotton re-entered the chamber at 10.17pm.

Cr. Mitchell re-entered the chamber at 10.18pm.

Cr. Evans moved that Council resolves that:

1. The report of the Director Corporate Services titled "Open Space Grants Program - Applications" be received and noted.
2. The proposed draft concept designs for Dock One – Public Space and Plaza Area (as outlined in Attachment 1) are approved by Council to be released for community and key stakeholder consultation.
3. An application for the 2023-2024 Open Space Grants Program (Laneways, Main Streets, Civic Plazas and Reimagined Spaces) is submitted by Council for the following suitable projects and funding value:
 - Folland Avenue – Streetscape Upgrade and Urban Greening - \$420,000
 - Dock One – Public Space and Plaza Area: \$300,000
4. If the grant applications are successful, Council will need to contribute matched funding for each project to the grant funding value. If the grant applications are unsuccessful,

full funding for the projects will need to be considered through the 2024-2025 annual budget process.

Cr. Vines seconded

CARRIED

14.2.4 Local Government Association Ordinary General Meeting Notice of Motion

Cr. Vines withdrew from the chamber at 10.26pm.

Cr. Vines re-entered the chamber at 10.26pm.

Cr. Russell moved that Council resolves that:

1. The report of the Director Corporate Services titled "Local Government Association Ordinary General Meeting Notice of Motion" be received and noted.
2. The call for Items of Business for the Local Government Association of South Australia Ordinary General meeting be noted.
3. It is noted that Mayor Boan has been appointed as Council's voting delegate and in the event the Mayor is unable to attend, the Deputy Mayor, or another Elected Member endorsed by the Mayor, shall represent the City of Port Adelaide Enfield as Council's voting delegate.

Cr. Martin seconded

CARRIED

15 CHIEF EXECUTIVE OFFICER REPORTS

15.1 Information Reports

Nil

15.2 Decision Reports

Nil

16 NOTICE OF MOTION

16.1 Notice of Motion - Cr Colombo - Narrow Street Parking and Drainage Concerns (Frazer Lane, Clearview)

Cr. Colombo moved that Council resolves to prepare a report on possible solutions to address parking issues in Frazer Lane which could be actioned concurrently with the implementation of council's narrow street policy. Council will also report back on possible solutions to the drainage issues at the Amber Avenue side of Frazer Lane caused by stormwater run-off from nearby homes which pools on Frazer Lane.

Cr. Martin seconded

CARRIED

16.2 Notice of Motion - Cr Wilkins - Largs Bay RSL, ANZAC Day Dawn Service

Pursuant to Section 74 of the Local Government Act, Cr. Wilkins declared a general conflict of interest in relation to this item as he serves as Patron of the Largs Bay RSL Sub-Branch however is not a member of the Management Committee nor exercise any decision making authority. Cr. Wilkins will deal with the general conflict by remaining in the chamber and abstaining from voting.

Cr. Wilkins moved that Council resolves that:

1. The Largs Bay RSL Sub Branch be allocated funding of \$1,500 to deliver the ANZAC Day Dawn Service 2024 and that the event grant budget be adjusted accordingly as part of Budget Review 3 process.
2. Council Administration prepare a report to a subsequent Council meeting which considers the proposal to provide separate funding for events which commemorate Australia's wartime heritage (for example, ANZAC Day, Remembrance Day and Merchant Navy Day) held in the City of Port Adelaide Enfield.

Cr. McGregor seconded

CARRIED

Cr. Wilkins abstained from the Vote

The Mayor sought and was granted leave of the meeting to extend the time of closure of the meeting past 10.30pm.

16.3 Motion on Notice - Cr Basham - Waste and Recycling Collection Services

Item 16.3 was deferred for considered to follow Item 19.6 "Confidentiality Order – Section 91(7) Local Government Act 1999 - Waste contractor Performance Monitoring".

16.4 Motion on Notice - Mayor Boan - Disruptive and illegal behaviours

Item 16.4 was considered after Item 11.1 "Question on Notice - Cr Wilkins - Hard Waste Collection Service".

17 MOTIONS WITHOUT NOTICE

Cr. Tulloch moved that:

Request Council administration to investigate appropriate budget needed to successfully implement our City of PAE's Coastal Dunes Action Plan 2022-2027.

Ensuring significant work on weed minimisation, including the targets outlined in the plan, to reduce *Acacia Longifolia*, by the next plan review in 2027.

- Administration to bring back information to Elected Members on costs involved and realistic timeframes, as soon as feasible. With approx. figures available to allow for discussion at the upcoming Budget workshop in February 2023.
- Council continues to monitor future grant opportunities which may assist in supporting our Coastal Dunes desired outcome sooner.

Cr. McGregor seconded

CARRIED UNANIMOUSLY

18 ADOPTION OF COMMITTEE REPORTS

Nil

19 CONFIDENTIAL ITEMS

19.1 Meeting to be held in Camera Section 90(2) and Section 90(3)(c) Local Government Act 1999 - Port Adelaide Enfield Logo Recommendation

Cr. Russell moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present:

- Chief Executive Officer
- Director Community Development
- Director Corporate Services
- Director City Assets
- Manager Strategy & Performance
- Customer Experience & Engagement Manager
- Marketing & Communications Leader
- Team Leader Governance
- Governance Officer

be excluded from the meeting for the following agenda item "Port Adelaide Enfield Logo Recommendation".

2. The Council is satisfied that, pursuant to Section 90(3)(c) of the Local Government Act 1999, section 90 (3)(c) the disclosure of information contained in this report would reveal a trade secret.

3. It is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information and discussion confidential.

Cr. Martin seconded

CARRIED

CONFIDENTIAL

19.2 Port Adelaide Enfield Logo Recommendation

CONFIDENTIAL

19.3 Confidentiality Order Section 91(7) Local Government Act 1999 - Port Adelaide Enfield Logo Recommendation

Cr. Mitchell moved that Council resolves that:

1. The report titled "Port Adelaide Enfield Logo Recommendation" considered in confidence under Section 90(2) and Section 90(3)(c) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all:

- Minutes,
- Report, and
- Attachments.

in relation to this matter be retained in confidence.

2. Pursuant to Section 91(7) the matter be retained in confidence until a final logo is adopted.

Cr. Evans seconded

CARRIED

19.4 Meeting to be held in Camera - Section 90(2) and Section 90(3)(b)(i)(ii) - Waste Contractor Performance Monitoring

Cr. Evans moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present:

- Chief Executive Officer
- Director Community Development
- Director City Assets
- Director Corporate Services
- Manager Strategy and Performance
- Manager Community & Environmental Health
- Manager Strategic Procurement Services
- Team Leader Governance
- Governance Officer

be excluded from the meeting for the Agenda Item “Waste Contractor Performance Monitoring”.

2. The Council is satisfied that, pursuant to Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item “Waste Contractor Performance Monitoring” is information, the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest.

3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Dinh seconded

CARRIED

CONFIDENTIAL

19.5 Waste Contractor Performance Monitoring

CONFIDENTIAL

19.6 Confidentiality Order - Section 91(7) Local Government Act 1999 - Waste Contractor Performance Monitoring

Cr. Russell moved that Council resolves that:

1. The report of the Director Community Development titled "Waste Contractor Performance Management" considered in confidence under Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all:
 - reports
2. Pursuant to Section 91(9)(a) the matter be retained in confidence until the commercial in confidence information is no longer current.

Cr. Dinh seconded

CARRIED

The Mayor considered Item 16.3 as the next item of business.

16.3**Motion on Notice - Cr Basham - Waste and Recycling Collection Services**

Cr. Basham moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present:

- Chief Executive Officer
- Director Community Development
- Director City Assets
- Director Corporate Services
- Manager Strategy and Performance
- Manager Community & Environmental Health
- Manager Strategic Procurement Services
- Team Leader Governance
- Governance Officer

be excluded from the meeting for the Agenda Item “Motion on Notice - Cr Basham - Waste and Recycling Collection Services”.

2. The Council is satisfied that, pursuant to Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item “Motion on Notice - Cr Basham - Waste and Recycling Collection Services” is information, the disclosure of which –
 - (iii) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (iv) would, on balance, be contrary to the public interest.
3. Council has considered and is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information or discussion confidential.

Cr. Russell seconded

CARRIED

CONFIDENTIAL

MOTION

CONFIDENTIAL

CONFIDENTIALITY ORDER

Cr Basham moved that Council resolves that:

1. The Motion titled “Waste and Recycling Collection Services” considered in confidence under Section 90(2) and Section 90(3)(b)(i)(ii) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of the Act orders that all:

- Minutes

in relation to this matter be retained in confidence.

2. Pursuant to Section 91(7) the matter be retained in confidence and reviewed annually.

Cr. Vines seconded

CARRIED

The Presiding Member declared the meeting closed at 11.36pm.

Minutes confirmed.

PRESIDING MEMBER