

Conflict of Interest

Councillor Snewin declared a perceived conflict of interest for Item 18.3 Glenelg Oval Unisex Change rooms. The nature of the perceived conflict of interest (pursuant to Section 75 of the *Local Government Act 1999*) is that he is an Office Holder for the Glenelg District Cricket Club.

Councillor Snewin dealt with the perceived conflict by making it known and leaving the meeting at 10.22pm.

18.3 Glenelg Oval Unisex Change Rooms (Report No: 32/21)**Motion – Exclusion of the Public – Section 90(3)(d)&(k) Order C270121/2206**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 32/21, Glenelg Oval Unisex Change Rooms in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Council is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 32/21, Glenelg Oval Unisex Change Rooms on the following grounds:
 - d. pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party with whom Council is in tender negotiations.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
 - k. pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services, or the carrying out of works to design and construct change rooms at Glenelg Oval.

3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Lonie, Seconded Councillor Bouchee

Carried Unanimously

Following project endorsement of [REDACTED] for new unisex change rooms at Glenelg Oval, a concept was developed and costed. To construct a change room in the south-west corner of Glenelg Oval, an initial cost estimate was [REDACTED] for a traditional building approach. Since this time, Administration has reviewed procurement and construction methodologies and have tendered for a modular method of construction.

Through the evaluation, Ausco Modular Pty Ltd has been identified as the preferred tenderer. Ausco's original submission met the brief and was priced at [REDACTED]. This excluded considerations relating to soil contamination, connection and capacity or supply of services and rectifying structural issues relating to retaining wall.

Following the value management of the project and discussions at a Council workshop on 19 January 2021, the project team sought Council to endorse the concept design, budget variation and engagement of Ausco Modular Pty Limited to undertake the detailed design and construction.

Motion

C270121/2207

That Council endorses:

1. the concept of the unisex change rooms at Glenelg Oval;
2. an additional [REDACTED] of capital funding to proceed with the development of the unisex change rooms at Glenelg Oval;
3. the award of contract to Ausco Modular Pty Ltd for the detail design and construction of a modular building at the total project cost of [REDACTED] including site preparation, building construction and site remediation; and

RETAIN IN CONFIDENCE - Section 91(7) Order

4. that having considered Agenda Item 18.3, 32/21, Glenelg Oval Unisex Change Rooms in confidence under Section 90(2) and (3)(d)&(k) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of that Act orders that the report and minutes be retained in confidence for a period of 12 months and/or the Chief Executive Officer is authorised to release the documents once Council has made a selection and that this order be reviewed every 12 months.

This order is subject to Section 91(8)(b) of the Act which provides that details of the identity of the successful tenderer must be released once Council has made a selection. In addition, Section 91(8)(ba) of the Act requires details of the amount(s) payable by the Council under a contract for the provision of cleaning services must be released once the contract has been entered into by all concerned parties.

Moved Councillor Smedley, Seconded Councillor Bouchee Carried Unanimously

CONFIRMED 9 February 2021

MAYOR