

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 12 DECEMBER 2017**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Veliskou
Jerome Appleby

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson (from 6.35pm)
Raelene Telfer

Woodlands Ward

Tim Pfeiffer
Nick Kerry

In Attendance

Mr Adrian Skull
Ms Abby Dickson
Mr Tony Lines
Mr Vincent Mifsud
Ms Kate McKenzie
Ms Victoria Moritz

Chief Executive Officer
General Manager City Development
General Manager City Services
General Manager Corporate Services
Manager Corporate Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 6.30pm.

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

DISCLOSURE

All persons in attendance are advised that the audio of this General Council meeting will be recorded and will be made available on the City of Marion website.

ELECTED MEMBER'S DECLARATION OF INTEREST

The Chair asked if any Member wished to disclose an interest in relation to any item being considered at the meeting.

Interests in the following items were declared:

- Councillor Pfeiffer:
 - *Community Grants Round One, 2017/2018* (Report Reference: GC121217R06)
 - *Castle Plaza Activity Centre Development Plan Amendment (DPA) – Interim Road Infrastructure Design and Delivery Deed* (Report Reference: GC121217R12)
- Councillor Byram:
 - *Petition – Building Application # 7.2017.208 (Nickels Avenue Park Holme)* (Report Reference: GC121217P01)

CONFIRMATION OF MINUTES

Moved Councillor Prior, Seconded Councillor Pfeiffer that the two items relating to Confirmation of Minutes be moved 'en bloc'

Carried Unanimously

Moved Councillor Prior, Seconded Councillor Pfeiffer that the minutes of the General Council Meeting held on 27 November 2017 be taken as read and confirmed.

Carried Unanimously

Moved Councillor Prior, Seconded Councillor Pfeiffer that the minutes of the General Council Meeting held on 28 November 2017 be taken as read and confirmed.

Carried Unanimously

VERBAL ELECTED MEMBER COMMUNICATIONS

Various Elected Members gave a verbal update on Activities and Events attended during November and December 2017.

6.35pm Councillor Hutchinson entered the meeting

ADJOURNED ITEMS

6.40pm Playground Framework Report Reference: GC121217R01

Moved Councillor Byram, Seconded Councillor Pfeiffer that Council:

1. Notes the community consultation report as provided in Appendix A.
2. Endorses the Playground Policy (Appendix B) and Service Levels (Appendix C) following community consultation.
3. Endorses the Playground prioritised works list which includes playground upgrades, removals and new playgrounds (Appendix D) and notes this will be revised annually with updated playground audit information.
4. Notes the 5 year, \$2.25m shade program (Appendix D) currently funded in Council's adopted Long Term Financial Plan (LTFP) and notes this will be revised annually.
5. Notes the Playground project methodologies provided in Appendix E.
6. Endorses an allocation of an additional \$711,750 for the 10-year works program (playground upgrade, removals and shade program) into the Long Term Financial Plan.
7. Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454 p.a. for renewal/depreciation for the Playground Shade program into Council's LTFP (as per Appendix I).
8. Notes the advice from the Infrastructure and Strategy Committee on proposed additional playgrounds in Appendix I.
9. Endorses the inclusion of Capella Drive Reserve Hallett Cove; Brooklyn Drive Reserve Hallett Cove; Tonsley Development Tonsley; McConnell Street East Reserve Marino; Miners Court Reserve Sheidow Park; Woodend Development Sheidow Park; and Cowra Crescent Reserve Park Holme as new playgrounds within the City of Marion, timing and costing as indicated in Appendix D.
10. Consideration of the Hallett Cove Heights area (including Skipper Close) be a high priority.

Councillor Byram with the consent of Councillor Pfeiffer sought and was granted leave of the meeting to withdraw the motion

The Motion is **Withdrawn**

Moved Councillor Crossland, Seconded Councillor Veliskou that Council:

1. Endorses the Playground Policy attached as appendix A to this report.
2. Endorses the proposed service levels for City of Marion playgrounds as provided in Appendix C.

3. Notes the current works program attached as Appendix D to this report and that any further upgrades identified for 2018/2019 will be informed by engagement with Elected Members in early 2018 with any changes brought to a future Council meeting for endorsement.
4. Endorses the Playground Construction and Removal Methodologies as provided in Appendix E.
5. Notes a further report will be bought back to Council recommending data collection methods and costs.
6. Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454pa for renewal / depreciation for the Playground Shade program into Council's Long Term Financial Plan.

Councillor Crossland with the consent of Councillor Veliskou sought and was granted leave of the meeting to vary the motion as follows:

That Council (as varied):

1. Endorses the Playground Policy attached as appendix A to this report.
2. Endorses the proposed service levels for City of Marion playgrounds as provided in Appendix C, except with the deletion of the sentence referring to the number of playgrounds reducing to 83.
3. Notes the current works program attached as Appendix D to this report and that any further upgrades identified for 2018/2019 will be informed by engagement with Elected Members in early 2018 with any changes brought to a future Council meeting for endorsement.
4. Endorses the Playground Construction and Removal Methodologies as provided in Appendix E.
5. Notes a further report will be bought back to Council recommending data collection methods and costs.
6. Endorses an allocation of \$112,750 p.a. for operating and maintenance and an allocation of \$148,454pa for renewal / depreciation for the Playground Shade program into Council's Long Term Financial Plan.

Amendment:

Moved Councillor Westwood, Seconded Councillor Kerry that Council:

1. Endorses the Playground Policy attached as appendix A to this report.
2. Endorses the proposed service levels for City of Marion playgrounds as provided in Appendix C, except with the deletion of the sentence referring to the number of playgrounds reducing to 83.
3. Notes a further report will be bought back to Council recommending data collection methods and costs.

The Amendment to become the Motion was **Lost**

7.09pm Councillor Kerry left the meeting
7.12pm Councillor Kerry re-entered the meeting

The Motion as varied was **Carried**

DEPUTATIONS

Nil

PETITIONS

7.15pm Petition – Building Application # 7.2017.208 (Nickels Avenue Park Holme) Report Reference: GC121217P01

Councillor Byram declared a conflict of interest in the item *Building Application # 7.2017.208 (Nickels Avenue Park Holme) Report Reference: GC121217P01* as she is a member on the Council Assessment Panel (CAP) and left the meeting.

7.15pm Councillor Byram left the meeting

Moved Councillor Veliskou, Seconded Councillor Hull that Council:

1. Notes the petition.
2. Advises the head petitioner that Council has noted the petition and the processing of the application will occur in accordance with Council's Development Plan and the Development Act and Regulations.

Carried Unanimously

7.29pm Councillor Westwood left the meeting
7.29pm Councillor Veliskou left the meeting
7.30pm Councillor Westwood re-entered the meeting
7.30pm Councillor Byram re-entered the meeting

COMMITTEE RECOMMENDATIONS

Nil

CONFIDENTIAL ITEMS

7.30pm Interim Management for Edwardstown Soldiers Memorial Recreation Grounds Report Reference: GC121217F01

Moved Councillor Prior, Seconded Councillor Crossland that Council:

1. Pursuant to Section 90(2) and (3)(b) and (h) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Vincent Mifsud, General Manager Corporate Governance; Abby Dickson, General Manager City Development; Tony Lines, General Manager City Services; Kate McKenzie, Manager Corporate Governance; Craig Clarke, Unit Manager Communications; Carol Hampton, Manager City Property; James O'Hanlon, Unit Manager Sport & Recreation Facilities and Victoria Moritz, Governance Officer be excluded from the meeting as the Council receives and considers information relating to Edwardstown Oval Interim Management Model, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to legal advice and commercial information the disclosure of which could prejudice the commercial position of Council and would on balance be contrary to the public interest.

Carried Unanimously

7.30pm the meeting went into confidence

Moved Councillor Pfeiffer, Seconded Councillor Crossland that

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until resolutions two, three and four above are completed. Unless revoked prior, this confidentiality order will be reviewed at the General Council meeting in December 2018.

Carried Unanimously

7.36pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION

7.36pm New Dog Park Community Engagement Findings & Initial Site Analysis Report Reference: GC121217R02

7.39pm Councillor Veliskou re-entered the meeting

Moved Councillor Pfeiffer, Seconded Councillor Hull that Council:

1. Notes the New Dog Park Summary of Community Consultation Findings attached as Appendix 1.

2. Endorses community and stakeholder engagement being undertaken at Quick Road Reserve, Hazelmere Road Reserve and Dumbarton Avenue Reserve to inform the development of a Concept Plan for a dog park at the reserve/s.
3. Receives a further report with community engagement outcomes and concept options for a dog park within Quick Road Reserve, Hazelmere Road Reserve and Dumbarton Avenue Reserve with a recommendation for a preferred site.
4. Notes the legislative and risk management advice provided by the Local Government Mutual Liabilities Scheme.

Amendment:

Moved Councillor Gard, Seconded Councillor Crossland that Council:

1. Notes the New Dog Park Summary of Community Consultation Findings attached as Appendix 1.
2. Endorses community and stakeholder engagement being undertaken at Quick Road Reserve, Hazelmere Road Reserve, Dumbarton Avenue Reserve and Cadell Street Reserve to inform the development of a Concept Plan for a dog park at the reserve/s.
3. Receives a further report with community engagement outcomes and concept options for a dog park within Quick Road Reserve, Hazelmere Road Reserve, Dumbarton Avenue Reserve and Cadell Street Reserve with a recommendation for a preferred site.
4. Notes the legislative and risk management advice provided by the Local Government Mutual Liabilities Scheme.

The Amendment to become the Motion was **Carried**

Amendment:

Moved Councillor Telfer, Seconded Councillor Veliskou that Council:

1. Notes the New Dog Park Summary of Community Consultation Findings attached as Appendix 1.
2. Endorses community and stakeholder engagement being undertaken at Hazelmere Road Reserve, Dumbarton Avenue Reserve and Cadell Street Reserve to inform the development of a Concept Plan for a **dog** park at the reserve/s.
3. Receives a further report with community engagement outcomes and concept options for a dog park within Hazelmere Road Reserve, Dumbarton Avenue Reserve and Cadell Street Reserve with a recommendation for a preferred site.
4. Notes the legislative and risk management advice provided by the Local Government Mutual Liabilities Scheme.

The Amendment to become the Motion was **Carried**
The Motion was **Carried**

7.56pm Tennis and Netball Review Update
Report Reference: GC121217R03

Moved Councillor Telfer, Seconded Councillor Hull that Council:

1. Notes the report and the status of the 3 year capital works program for Tennis and Netball Facilities.
2. Notes the vacant courts as a result of the Ballara Tennis Clubs dissolution and amalgamation with the Stanley Street Tennis Club with a future report provided to Council regarding options for this site as part of the Asset Optimisation project.
3. Endorses a reallocation of \$25,000 from the proposed Sandery Avenue works to the Clovelly Park Community Centre to facilitate the resurfacing of two courts and line marking to facilitate multi- purpose usage.
4. Endorses the reallocation of \$90,000 from savings in the 2017/18 Open Space works program to facilitate the relocation of the Woodforde Playground to accommodate the Woodforde Tennis Court works.
5. Endorses authorisation to include the Section 221 as part of their new lease for the Warradale Park Tennis Club which is currently being prepared and ready for execution in January 2018.
6. Notes upgrade works for both Warradale Park Tennis Club and Marion Tennis Club facilities remain partially funded and should attempts to attract additional funding be unsuccessful a further report will be brought to Council in April 2018.

8.00pm Councillor Gard left the meeting

Carried Unanimously

8.02pm Draft Events Plan 2017-2020
Report Reference: GC121217R04

8.02pm Councillor Gard re-entered the meeting

8.04pm Councillor Pfeiffer left the meeting

Moved Councillor Veliskou, Seconded Councillor Crossland that Council:

1. Adopts the 2017-2020 Events Plan – attached as Appendix A.
2. Receives a report by June 2018 scoping three possible iconic events for 2019.
3. Allocates \$5000 as part of Council's 2017/18 budget review process and a further allocation of \$5,000 per year for 2018/19 and 2019/20 to assist the Hallett Cove Lions to deliver the ANZAC Day dawn service at Heron Way Reserve, Hallett Cove.
4. Enters a Memorandum of Understanding with the Hallett Cove Lions Club for this funding.
5. Receives a report by April 2018 on the potential creation and eligibility criteria of an annual \$10,000 Community Events Fund.

Councillor Byram with the consent of Councillor Veliskou and Councillor Crossland sought and was granted leave of the meeting to vary the motion as follows:

That Council (as varied):

1. Adopts the 2017-2020 Events Plan – attached as Appendix A with the following amendments:
 - a. Page 165 to read 2018 Remembrance Day events
2. Receives a report by June 2018 scoping three possible iconic events for 2019.
3. Allocates \$5000 as part of Council's 2017/18 budget review process and a further allocation of \$5,000 per year for 2018/19 and 2019/20 to assist the Hallett Cove Lions to deliver the ANZAC Day dawn service at Heron Way Reserve, Hallett Cove.
4. Enters a Memorandum of Understanding with the Hallett Cove Lions Club for this funding.
5. Receives a report by April 2018 on the potential creation and eligibility criteria of an annual Community Events Fund – proposed amount to be included in the report.

8.10pm Councillor Pfeiffer re-entered the meeting

8.14pm Councillor Westwood left the meeting

Carried

8.20pm Review of Confidential Orders 2017 - Overview
Report Reference: GC121217R05

Moved Councillor Telfer, Seconded Councillor Pfeiffer that the reports relating to the Review of confidential Orders 2017 be moved 'en bloc' with the exception of GC121217R05 - (53) and GC121217R05 - (54)

Carried Unanimously

Moved Councillor Telfer, Seconded Councillor Pfeiffer that Council:

1. Notes the report, '*Review of Confidential Orders 2017 – Overview*

Carried Unanimously

Review of Confidential Order for the Item:
Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848, GC290113F02
Ref No: GC121217R05 - (01)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report "Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 " and the Minutes arising from this report be revoked.

Carried Unanimously

Review of Confidential Order for the Item:
Glandore Laneways, GC250815F01
Ref No: GC121217R05 - (02)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report “*Glandore Laneways*, GC280515F01,” and the Minutes arising from this report be revoked.

Carried Unanimously

Review of Confidential Order for the Item:
Glandore Laneways Project, GC230216F01
Ref No: GC121217R05 - (03)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report “*Glandore Laneways Project*, GC230216F01,” and the Minutes arising from this report be revoked.

Carried Unanimously

Review of Confidential Order for the Item: Development Assessment Panel - Vacancy
for Independent Members, RSC070217R7.4
Ref No: GC121217R05 - (04)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report “*Development Assessment Panel - Vacancy for Independent Members*, RSC070217R7.4,” and the Minutes arising from this report be revoked.

Carried Unanimously

Review of Confidential Order for the Item: Code of Conduct, GC110417F04
Ref No: GC121217R05 - (05)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report “*Code of Conduct*, GC110417F04,” and the Minutes arising from this report be revoked.

Carried Unanimously

**Review of Confidential Order for the Item: Oaklands Crossing Project,
SGC060617F01
Ref No: GC121217R05 - (06)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report "*Oaklands Crossing Project, SGC060617F01*," and the Minutes arising from this report be revoked.

Carried Unanimously

**Review of Confidential Order for the Item: Confirmation of Confidential Minutes of the
Review and Selection Committee held 5 October 2017, GC101017F01
Ref No: GC121217R05 - (07)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Report "*Confirmation of Confidential Minutes of the Review and Selection Committee held 5 October 2017, GC101017F01*," be revoked.

Carried Unanimously

**Review of Confidential Order for the Item: Program Evaluation and Business Improvement
Service Provisions, AC100810F01
Ref No: GC121217R05 (08)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the *Program Evaluation and Business Improvement Service Provisions, AC100810F01* be revoked and the item be released with the unsuccessful tenderer names redacted.

Carried Unanimously

**Review of Confidentiality Order: Hallett Cove Library and Community Centre Award of
Construction Tender, GC270813F02
Report Reference: GC121217R05 – (09)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the Hallett Cove Library and Community Centre Award of Construction Tender' GC270813F02 be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the Item: External Audit – Tender for Services, AC070212F6.1
Report Reference: GC121217R05 – (10)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the *External Audit – Tender for Services, AC070212F6.1* be revoked and the item be released with the commercial information and names of unsuccessful tenderers redacted.

Carried Unanimously

**Review of Confidential Order for the Item: External Audit Tender, GC140212F01
Report Reference: GC121217R05 – (11)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the *External Audit Tender, GC140212F01* be revoked and the item be released with the commercial information and names of unsuccessful tenderers redacted.

Carried Unanimously

**Review of Confidential Order for the Item: Cove Civic Centre, GC250815F02
Report Reference: GC121217R05 – (12)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Cove Civic Centre, GC250815F02*," and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the Item: Cove Civic Centre, GC220915F01
Ref No: GC131216R03 (13)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Cove Civic Centre, GC220915F01*," and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the item: Internal Audit Contract, GC110417F02
Report Reference: GC121217R05 - (14)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Internal Audit Contract, GC110417F02*," and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the item: Kerbside Waste Collection Contract, GC120612F01
Report Reference: GC121217R05 - (15)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Kerbside Waste Collection Contract, GC120612F01*," and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the item: Kerbside Waste Contract Extension, GC270617F01
Report Reference: GC121217R05 - (16)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Kerbside Waste Contract Extension, GC270617F01*," and the Minutes arising from this report be revoked and the item be released with the commercial information redacted.

Carried Unanimously

**Review of Confidential Order for the Item: Council Assessment Panel Independent Member
Applications, RSC051017R8.1
Ref No: GC121217R05 - (17)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the Report "*Council Assessment Panel Independent Member Applications, RSC070217R7.4*," and the Minutes arising from this report be revoked and the items be released with the names of the unsuccessful applicants redacted

Carried Unanimously

**Review of Confidential Order for the Item: Living Kurna Cultural Centre, GC250105F02
Ref No: GC121217R05 (18)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. The confidentiality order pertaining to the minutes arising from the report *Living Kurna Cultural Centre, GC250105F02* be revoked.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Living Kurna Cultural Centre, GC250105F02*' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*) and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the *Local Government Act 1999*.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

3. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Living Kurna Cultural Centre, GC220305F01
Ref No:GC121217R05 (19)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. The confidentiality order pertaining to the minutes arising from the report *Living Kurna Cultural Centre, GC220305F01* be revoked.
2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Living Kurna Cultural Centre, GC220305F01*' kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of persons (Section 90(3)(a)), and may affect the security of Council and safety of members, employees of the Council, and other persons (Section 90(3)(e)), of the *Local Government Act 1999*.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

3. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Kerbside Waste & Recycling Collection
Contract 2005, SGC210605F01
Ref No: GC121217R05 - (20)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01*” together with the appendices and minutes arising from the report be kept confidential on the basis that it deals with information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) and contains confidential commercial information which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer an advantage on a third party and on balance the disclosure would be contrary to the public interest (Section 90(3)(d)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Provision of Advertising Bus Shelters to the City of Marion, GC270207F01
Ref No: GC121217R05 - (21)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

3. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, annexure and minutes titled “*Provision of Advertising Bus Shelters to the City of Marion, GC270207F01*” be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the *Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

4. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01

Ref No: GC121217R05 - (22)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix 1 to the report, '*Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*' be kept confidential and not available for public inspection on the basis that the report contains information 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 and would, on balance, be contrary to the public interest (Section 90(3)(d)), and to ensure Council does not breach a duty of confidence (Section (3)(g)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01

Ref No: GC121217R05 – (23)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the annexure of the report, *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* having been considered in confidence be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest (Section 90(2) and (3)(d) of the Act).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 201 meeting of Council.

Carried Unanimously

Chief Executive Officer's Employment Contract SGC190215F02
Ref No: GC121217R05 – (24)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the deed relating to this report *Chief Executive Officer's Employment Contract SGC190215F02* distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the former Chief Executive Office of the Council (Section (3)(a)), and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)).

This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: CEO Interim Performance Review, GC240516F03
Ref No: GC121217R05 – (25)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Interim Performance Review, GC240516F03* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO Annual Performance Review 2015/16,
GC221116F01
Ref No: GC121217R05 – (25a)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Annual Performance Review 2015/16, GC221116F01* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: GC090517F01CEO Performance Indicators
for Quarter 2 2016/17, RSC070217R8.1
Ref No: GC121217R05 – (26)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *GC090517F01CEO Performance Indicators for Quarter 2 2016/17, RSC070217R8.1* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1

Ref No: GC121217R05 – (27)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Performance Indicators for Quarter 3 2016/17, RSC020517R8.1* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01

Ref No: GC121217R05 – (28)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the appendix to the report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01* be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO Performance Indicators for Quarter 3 2016/17, GC090517F02
Ref No: GC121217R05 – (29)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Performance Indicators for Quarter 3 2016/17, GC090517F02* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01
Ref No: GC121217R05 – (30)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO KPI's Annual Confidential Report 2016/17, RSC071117F02
Ref No: GC121217R05 – (31)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO KPI's Annual Confidential Report 2016/17, RSC071117F02* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO KPI Report Quarter One 2017/18, RSC071117F03
Ref No: GC121217R05 – (32)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO KPI Report Quarter One 2017/18, RSC071117F03* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01
Ref No: GC121217R05 – (33)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO and Corporate KPI's 2017/18 Quarter One, SGC271117F01* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01
Ref No: GC121217R05 – (34)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the appendix to the report *Confirmation of the Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01* be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02
Ref No: GC121217R05 – (35)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: CEO KPI's Annual Confidential Report 2016/17, GC281117F02
Ref No: GC121217R05 – (36)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *CEO KPI's Annual Confidential Report 2016/17, GC281117F02* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the *Local Government Act 1999*).

This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Commercial Arrangements, GC240112F01
Report Reference: GC121217R05 (37)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240112F01*, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2018.

Carried Unanimously

**Review of Confidential Order for the Item: Commercial Arrangements, GC240712F01
Report Reference: GC121217R05 (38)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240712F01*, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2018.

Carried Unanimously

Review of Confidential Order for the Item: Commercial Arrangements, GC260313F02
Ref No: GC121217R05 - (39)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Signatures Cafe, GC240315F03
Ref No: GC121217R05 - (40)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC240315F03*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Signatures Café, GC080915F01
Ref No: GC121217R05 - (41)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC080915F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Signatures Cafe, GC260416F01
Ref No: GC121217R05 - (42)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC260416F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Signatures Café, GC260716F01
Ref No: GC121217R05 - (43)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC260716F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

Review of Confidential Order for the Item: Signatures Cafe, GC110417F01
Ref No: GC121217R05 - (44)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC110417F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Signatures Cafe, GC280217F01
Ref No: GC121217R05 - (45)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe, GC280217F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Signatures Café Lease, GC101017F03
Ref No: GC121217R05 - (46)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe Lease, GC101017F03*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Signatures Café Update, GC241017F02
Ref No: GC121217R05 - (47)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Signatures Cafe Update, GC241017F02*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item:
Cove Civic Centre – Cost and Programme Management, GC240215F01
Ref No: GC121217R05 (48)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Cove Civic Centre – Cost and Programme Management, GC240215F01*' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information 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, and would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and would breach a duty of confidence (*Section 90(3)(g)*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidentiality Order: Surplus Land associated with City Services
Redevelopment, GC240315F02
Report Reference: GC121217R05 – (49)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that report *Surplus Land associated with City Services Redevelopment, GC240315F02* having been considered in confidence under Section 90(2) and (3)(b) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the disclosure of the information 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 the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate effectively for the benefit of the Council and the community.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the General Council meeting in December 2018.

Carried Unanimously

**Review of Confidential Order for the Item – Internal Audit and Service Reviews – Tender
Assessment, AC180815F8.2
Report Reference: GC121217R05 – (50)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that the report Internal Audit and Service Reviews – Tender Assessment, AC180815F8.2, appendices to the report and minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the December 2018 Council meeting.

Carried Unanimously

Review of Confidential Order for the Item – Internal Audit and Service Review Tender, GC250815F04
Report Reference: GC121217R05 – (51)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 Council orders that Appendix A to the report *Internal Audit and Service Review Tender, GC250815F04* having been considered in confidence under Section 90(2) and (3)(d) and (3)(g) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it contains information relating to a tender assessment for the provision of services that is commercial in confidence, and the release would, on balance, be contrary to the public interest, and to ensure Council does not breach any duty of confidence.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidentiality order will be reviewed at the December 2018 Council meeting.

Carried Unanimously

Review of Confidential Order for the Item: Internal Audit Contract, FAC151216F02
Ref No: GC121217R05 - (52)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (*Internal Audit Contract, FAC151216F02*) to this report, having been considered in confidence under Section 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Telecommunication Facilities Morphetville, GC131015R01
Ref No: GC121217R05 - (55)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that Appendix 3 to the report, '*Telecommunication Facilities Morphetville, GC131015R01*' be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Glenthorne Farm, GC280616F01
Ref No: GC121217R05 - (56)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Glenthorne Farm, GC280616F01*, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a 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.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Local Governmen Association Memberhsip,
SGC010816F01
Ref No: GC121217R05 - (57)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership SGC010816F01*) to this report be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Local Government Association
Insurance Schemes Review, FAC280217R7.1
Ref No: GC121217R05 - (58)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, Appendix to this report and minutes (*Local Government Association Insurance Schemes Review FAC280217R7.1*) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Local Government Association Membership, FAC280217R7.2

Ref No: GC121217R05 - (59)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership* FAC280217R7.2) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Local Government Association Membership, GC140317F02

Ref No: GC121217R05 - (60)

Moved Councillor Telfer, Seconded Councillor Pfeiffer Councillor that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Membership* GC140317F02) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which 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 would, on balance, be contrary to the public interest (*Section 90(3)(b) of the Local Government Act 1999*) and contains legal advice (*Section 90(3)(h)*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Local Government Association Insurance Schemes Review, GC140317F03

Ref No: GC121217R05 - (61)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Local Government Association Insurance Schemes Review GC140317F03*) to this report, having been considered in confidence under s 90(2) and (3)(b) and (d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information that could confer a commercial advantage to a third party and prejudice the commercial position of the Council, and the release would on balance be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Internal Audit Program, FAC160816R7.8

Ref No: GC121217R05 – (62)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix to the report, '*Internal Audit Program, FAC160816R7.8*' and the minutes be kept confidential and not available for public inspection on the basis that the Appendix and minutes contains information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the *Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Finance and Audit Committee Confidential Minutes, GC230816F01
Ref No: GC121217R05 – (63)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix to the report, '*Finance and Audit Committee Confidential Minutes, GC230816F01*' be kept confidential and not available for public inspection on the basis that the Appendix to the Report contains information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the *Local Government Act 1999*).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

Review of Confidential Order for the Item: Organisational Service Reviews Quarter 1 2016/17, FAC151216F01
Ref No: GC121217R05 - (64)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Organisational Service Reviews Quarter 1 2016/17, FAC151216F01*) to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Finance and Audit Committee Confidential Minutes, GC240117F01
Ref No: GC121217R05 – (65)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix to the report, '*Finance and Audit Committee Confidential Minutes, GC240117F01*' be kept confidential having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

Review of Confidential Order for the Item: Marion Outdoor Swimming Pool Service Review, GC240117F02
Ref No: GC121217R05 - (66)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Marion Outdoor Swimming Pool - Service Review, GC240117F02*) to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Code of Conduct Complaint, GC140217F01
Ref No: GC121217R05 – (67)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Code of Conduct Complaint, GC140217F01* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*);

This order is to remain in force for the current term of Council.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Code of Conduct - Mediation, GC110417F03
Ref No: GC121217R05 – (68)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Code of Conduct - Mediation, GC110417F03* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*);

This order is to remain in force for the current term of Council.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Code of Conduct,
GC241017F03
Ref No: GC121217R05 – (69)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Code of Conduct, GC241017F03* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999);

This order is to remain in force for the current term of Council.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Code of Conduct, GC281117F08
Ref No: GC121217R05 – (70)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Code of Conduct, GC281117F08* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999);

This order is to remain in force for the current term of Council.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Code of Conduct, GC281117F09
Ref No: GC121217R05 – (71)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Code of Conduct, GC281117F09* minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999);

This order is to remain in force for the current term of Council.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Organisational Service Reviews - Libraries 2017, FAC280217R7.3
Ref No: GC121217R05 - (72)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Organisational Service Reviews - Libraries 2017, FAC280217R7.3*) to this report, having been considered in confidence under s 90(2) and (3)(a) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Organisational Service Reviews - Public Litter Service Review
2017, FAC280217R7.4
Ref No: GC121217R05 - (73)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Organisational Service Reviews - Public Litter Service Review 2017, FAC280217R7.4*) to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: External Audit Tender, FAC280217R7.5
Ref No: GC121217R05 - (74)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*External Audit Tender, FAC280217R7.5*) to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the grounds that the report contains commercial information of a confidential nature, 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 to a third party, and that on balance disclosure would be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Finance and Audit Committee Confidential Minutes, GC140317F01
Ref No: GC121217R05 – (75)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix to the report, '*Finance and Audit Committee Confidential Minutes, GC140317F01*' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (d) and (h) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting given the information relates to personal affairs, commercial information of a confidential nature and legal advice.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

Review of Confidential Order for the Item: External Audit Tender, GC140317F04
Ref No: GC121217R05 - (76)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*External Audit Tender, GC140317F04*) to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Organisational Service Reviews - Status Report March 17 – City of Marion Library Service Review, GC280317F01
Ref No: GC121217R05 - (77)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Organisational Service Reviews - Status Report March 17 - City of Marion Library Service Review, GC280317F01*) to this report, having been considered in confidence under s 90(2) and (3)(a) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Commercial Proposal for a Recreational Facility Development, GC080817F01
Ref No: GC121217R05 - (78)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Commercial Proposal for a Recreational Facility Development, GC080817F01*) to this report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02
Ref No: GC121217R05 - (79)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, *Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02*, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01
Ref No: GC121217R05 - (80)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, *Edwardstown Oval - Pre-tender Estimate and Approval to Call the Stage 2 Construction Tender, SGC120917F01*, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the pre-tender estimate for the carrying out of works and disclosure of the information 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.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Edwardstown Oval - Approval to Award Construction Tender, GC281117F05
Ref No: GC121217R05 - (81)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report, *Edwardstown Oval - Approval to Award Construction Tender, GC281117F05*, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the pre-tender estimate for the carrying out of works and disclosure of the information 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.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

**Review of Confidential Order for the Item: Marion Sports and Community Club Lease, GC220817R07
Ref No: GC121217R05 - (82)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 5 (*Marion Sports and Community Club Lease, GC220817R07*) to this report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis it contains commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or confer a commercial advantage on a third party: and (ii) would, on balance, be contract to public interest

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Selection of candidates for interview/appointment for Council

Assessment Panel, RSC190917R8.1

Ref No: GC121217R05 – (83)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1* and minutes arising from this report to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*);

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Section 48 Prudential Report - BMX, FAC101017R8.14

Ref No: GC121217R05 - (84)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report ,*Section 48 Prudential Report - BMX, FAC101017R8.14*, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information 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 the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: 73 Cove Road Marino, FAC101017R8.15
Ref No: GC121217R05 - (85)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report ,73 Cove Road Marino, FAC101017R8.15, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (i) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information 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 the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

**Review of Confidential Order for the Item: Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01
Ref No: GC121217R05 – (86)**

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix to the report, 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (h) and (i) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. This confidential order be reviewed at the December 2018 meeting of Council

Carried Unanimously

Review of Confidentiality Order: Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04
Report Reference: GC121217R05 – (87)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Lot 198 Greenfield Road Seaview Downs - Community Land Division and Residential Development, GC241017F04*' together with appendices and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information over which Council has a duty of confidence (Section 90(3)(g)).

This order is to remain in force until the Department of Planning, Transport and Infrastructure have issued their final decision on the application.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Morphettsville Park Sports and Community Club Redevelopment, GC281117F06
Ref No: GC121217R05 - (88)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Morphettville Park Sports and Community Club Redevelopment, GC281117F06*) to this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis that disclosure of the information 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 the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidential Order for the Item: Expression of Interest for Potential Land Acquisition Opportunity at Morphetville, GC281117F07
Ref No: GC121217R05 - (89)

Moved Councillor Telfer, Seconded Councillor Pfeiffer that:

1. In accordance with s 91(7) and (9) of the *Local Government Act 1999*, orders that this report and Appendix 1 (*Expression of Interest for Potential Land Acquisition Opportunity at Morphetville, GC281117F07*) to this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information 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 the release would, on balance, be contrary to the public interest.

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. Unless revoked prior, this confidential order be reviewed at the December 2018 meeting of Council.

Carried Unanimously

Review of Confidentiality Order: Investigation, GC250815F05
Report Reference: GC121217R05 – (53)

Moved Councillor Pfeiffer Seconded Councillor Telfer that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Abby Dickson, Adrian Skull and Kate McKenzie, be excluded from the meeting as the Council receives and considers information relating to the *Review of Confidentiality Order: Investigation, GC250815F05* into a council community facility, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs

Carried Unanimously

8.29pm the meeting went into confidence

Moved Councillor Kerry, seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Investigation, GC250815F05*' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)).
2. This confidential order be reviewed at the 30 January 2018 meeting of Council.

Carried

Review of Confidentiality Order: Investigation, GC080915F03
Report Reference: GC121217R05 – (54)

Moved Councillor Telfer, Seconded Councillor Prior that:

1. Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Abby Dickson, Adrian Skull and Kate McKenzie, be excluded from the meeting as the Council receives and considers information relating to the *Review of Confidentiality Order: Investigation GC080915F03* into a Council Community Facility upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal affairs

Carried Unanimously

8.40pm the meeting went into confidence

Moved Councillor Kerry, Seconded Councillor Pfeiffer that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix 4 of the report, '*Investigation, GC080915F03*' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the *Local Government Act 1999*)

This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.

2. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Investigation, GC080915F03*' together with appendices 1 to 3 and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information over which Council has a duty of confidence (Section 90(3)(g)).
3. This confidential order be reviewed at the 30 January 2018 meeting of Council.

Carried

8.48pm the meeting came out of confidence

8.49pm Councillor Prior left the meeting

8.49pm Councillor Hutchinson left the meeting

8.49pm Community Grants Round One, 2017/2018
Report Reference: GC121217R06

Councillor Pfeiffer noted a perceived conflict of interest in the item *Community Grants Round One, 2017/2018 (Report Reference: GC121217R06)* as the school his son attends applied for three grants however will remain for the item.

Moved Councillor Hull, Seconded Councillor Crossland that Council:

1. Approves the Community Grant applications, totalling \$41,453 as recommended in Appendix 1.
2. Notes the grants will generate community projects to the value of \$104,690 (consisting of Council's \$41,453 contribution plus \$63,237 of community contribution).

Carried Unanimously
Councillor Pfeiffer voted for the Motion

8.50pm Councillor Hutchinson re-entered the meeting

8.50pm Fund My Neighbourhood
Report Reference: GC121217R07

8.51pm Councillor Prior re-entered the meeting

Moved Councillor Hull, Seconded Councillor Veliskou that Council:

1. Notes the report
2. Writes to the Department of Premier and Cabinet accepting the funding for Oaklands Estate Reserve.
3. Writes to the Department of Premier and Cabinet advising it accepts the funding for Marion Outdoor Pool dependent on the outcome of a report in February 2018.

Carried Unanimously

8.54pm Temporary Community Open Space at Ash Avenue, Clovelly Park
Report Reference: GC121217R08

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Endorses the arrangement for Renewal SA to maintain the Council owned land at Chestnut Court, Clovelly Park (Certificate of Title Volume 5387 Folio 191) at their expense while the City of Marion assumes care and control of the site at Ash Avenue, Clovelly Park.
2. Authorises the Chief Executive Officer to negotiate, provided agreements do not affect the general purpose and intent of the arrangement, and sign the lease agreement with the South Australian Housing Trust.

3. Pursuant to Section 193(4) of the Local Government Act 1999 the land comprised in Certificates of Title Volume 5478 Folio 862 being Allotment 1 in DP 25435, Volume 5396 Folio 194 being Allotment 2 in DP 25435, Certificate of Title Volume 5799 Folio 62 being Allotment 3 in DP 25435, Volume 5799 Folio 63 being Allotment 4 in DP 25435, Volume 5385 Folio 838 being Allotment 21 in DP 25435 and Volume 5385 Folio 763 being Allotment 22 in DP25435, to be leased to Council from the South Australian Housing Trust is to be excluded from the Community Land Classification.
4. Notes that in accordance with Section 49(2)(a) of the Development Act, an application for the temporary change of use of the land, from residential to temporary recreation area, will be submitted to the State Commission Assessment Panel by Renewal SA.
5. Notes that the cost of this temporary arrangement to Council will be approximately an extra \$200 a year, which can be accommodated within the existing maintenance budget.
6. Provides in principle support for the draft landscape concept plan attached as Appendix 1.

Carried Unanimously

8.55pm Goodman Court Development Open Space Contribution
Report Reference: GC121217R09

Moved Councillor Pfeiffer, Seconded Councillor Kerry that Council:

1. Endorses in principle support for the provision and location of open space to be vested to Council (subject to development approval).
2. Notes the development approval process.
3. Endorses Council administration to negotiate and enter into an open space agreement with Renewal SA (RSA) and the developer to consider the design and development of the infrastructure within the vested open space to Council's agreed local level of service (subject to development approval).

Carried Unanimously

9.00pm Hendrie Street Reserve Inclusive Playground Shade Sail
Report Reference: GC121217R10

Moved Councillor Hull, Seconded Councillor Veliskou that Council:

1. Utilises up to \$35,000 from the existing 2017/18 playground shade budget to fund the installation of the central play area shade sail within the approved 2017/18 scope of works for Hendrie Street Reserve Inclusive Playground.

Carried Unanimously

9.04pm Asset Optimisation - Ranger Street Reserve, Hallett Cove – Rescission
Report Reference: GC121217R11

Moved Councillor Hutchinson, Seconded Councillor Byram that Council:

1. Rescinds the following motion passed at the 24 October Council Meeting 2017 (GC241017R10)
That Council:
Retains Ranger Street Reserve
2. Acknowledges the Ministerial approval to revoke the community land classification dated 3 October 2017 for Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.
3. Revokes the community land classification in respect of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876.
4. Notes that the Registrar General is to be notified of the revocation of classification of community land in accordance with Section 195 of the Local Government Act 1999.
5. Authorises the disposal of Ranger Street Reserve, 5 Ranger Street Hallett Cove being the whole of the land in Certificate of Title Volume 5110 Folio 876 in accordance with Council's Disposal of Land and Assets Policy.
6. Authorises the revenue from the sale net of all associated disposal costs of the Ranger Street Reserve Hallett Cove to be transferred to the Open Space Reserve Fund for the development of open space facilities as approved by Council.
7. Pursuant to Section 37 (b) of the Local Government Act 1999 authorises the Chief Executive Officer to negotiate, enter into and sign all contracts and documentation necessary to effect a sale and settlement of the Ranger Street Reserve, Hallett Cove.

Carried Unanimously

9.05pm Castle Plaza Activity Centre Development Plan Amendment (DPA) – Interim Road Infrastructure Design and Delivery Deed
Report Reference: GC121217R12

Councillor Pfeiffer declared a conflict of interest in the item *Castle Plaza Activity Centre Development Plan Amendment (DPA) – Interim Road Infrastructure Design and Delivery Deed* Report Reference: GC121217R12 due to the proximity of his home to the Development.

9.05pm Councillor Pfeiffer left the meeting

Moved Councillor Hutchinson, Seconded Councillor Telfer that Council:

1. Delegates to the Chief Executive Officer the authority to negotiate the Interim Road Infrastructure Design and Delivery Deed relating to the Castle Plaza Activity Centre DPA;
2. Authorises the Mayor and Chief Executive Officer to enter into and sign and seal all documentation necessary to facilitate the Interim Road Infrastructure Design and Delivery Deed on behalf of Council (pursuant to Section 38C of the Local Government Act 1999);

3. Subject to building the connector road as part of Stage 1.

Carried Unanimously

9.10pm Councillor Veliskou left the meeting

9.11pm Sector Agreement for Climate Change Adaptation for the Southern Adelaide Region 2017-2020

Report Reference: GC121217R13

9.11pm Councillor Appleby left the meeting

9.11pm Councillor Pfeiffer re-entered the meeting

9.11pm Councillor Kerry left the meeting

Moved Councillor Crossland, Seconded Councillor Gard that Council:

1. Endorses the Southern Region (Metropolitan Adelaide) Sector Agreement between the Government of South Australia and the Cities of Holdfast Bay, Marion, Mitcham and Onkaparinga (Appendix 1);
2. Notes the update on delivery of priorities identified in the Resilient South 'Southern Region Local Government Implementation Plan 2015 – 2019' (Appendix 2).

9.13pm Councillor Appleby re-entered the meeting

9.13pm Councillor Kerry re-entered the meeting

9.14 Councillor Veliskou re-entered the meeting

Carried

CORPORATE REPORTS FOR INFORMATION / NOTING

9.15pm Denham Avenue Traffic Report

Reference No: GC121217R14

Moved Councillor Veliskou, Seconded Councillor Appleby that Council:

1. Notes the report.
2. Endorses an investigation into extending Morphettsville Oval to provide a fit for purpose playing field and improve pedestrian movements and traffic management.
3. Receives a further report that outlines details of expanding Morphettsville Oval and includes a scope of works, indicative costs and timeframes.

Carried Unanimously

**9.18pm Mitchell Park Sports and Community Centre Expression of Interest Outcomes
Report Reference: GC121217R15**

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council:

1. Notes the outcomes from the Expression of Interest undertaken for potential users of the redeveloped Mitchell Park Sports and Community Centre.

Carried Unanimously

MEETING EXTENSION

Moved Councillor Pfeiffer, Seconded Councillor Telfer that formal meeting procedures be extended until all items have been considered

Carried

Moved Councillor Pfeiffer, Seconded Councillor Telfer that the following items be moved 'en bloc'

- Finance Report – October 2017
- WHS Monthly Performance Report – October & November 2017

Carried Unanimously

**9.21pm Finance Report – October 2017
Report Reference: GC121217R16**

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. Receives the report "Finance Report – October 2017"

Carried Unanimously

**9.21pm WHS Monthly Performance Report – October & November 2017
Report Reference: GC121217R17**

Moved Councillor Pfeiffer, Seconded Councillor Telfer that Council:

1. That Council notes the report and statistical data contained therein.

Carried Unanimously

WORKSHOP / PRESENTATION ITEMS

Nil

MATTERS RAISED BY MEMBERS

Motions with Notice

9.25pm Upgrade of Playgrounds

Report Reference: GC121217M01

Moved Councillor Telfer, Seconded Councillor Hutchinson that:

Flyers and advertising brochures for the upgrade of playground, as part of community consultation and engagement, include the proposed cost of the playground.

Carried Unanimously

9.25pm Dog On-Leash Provisions

Report Reference: GC121217M02

Moved Councillor Pfeiffer, Seconded Councillor Kerry that:

The dog on-leash provisions at Dumbarton Avenue Reserve in Edwardstown be revoked.

Carried Unanimously

9.29pm Leaflet Advertising on Car Windscreens

Report Reference: GC121217M03

Moved Councillor Veliskou, Seconded Councillor Appleby that:

A report be provided to council outlining the options available for council to restrict (totally or partially) leaflet advertising on car windscreens. That this report look at if powers extend to both public land and private land like shopping centres, even if allowed by consent of landowner

Carried

9.35pm State Wide Industrial Relations Agreements

Report Reference: GC121217M04

Moved Councillor, Seconded Councillor that:

Marion Council at the next LGA meeting ask the following

Local Government Association to take the lead on managing industrial relations.
& negotiate 1 statewide agreement with Indoor staff ie ASU & 1 statewide agreement with outdoor staff ie AWU.

Moved Councillor Kerry, Seconded Councillor Pfeiffer that the matter be left lying on the table pending the outcome of the current LGA investigation into this issue.

Carried

Questions with Notice

Use of Drones

Report Reference: GC121217Q01

QUESTION:

1)What are the current rules regarding the use of drones?

Are there different rules in regards to drones flying over private property, council land such as parks, council roads and footpaths, federal and state public lands such as parks roads etc, sensitive sites and private land not owned by drone user?

If so please elaborate?

Do any rules currently require enforcement by council?

COMMENTS: Councillor Veliskou

After reading the recent article where a councillor is suggesting council look into using drones for safety and crime prevention, I think it's pertinent to get an idea of the current legal issues surrounding drone use as it stands. From recollection I was under the impression that drones cannot fly over council roads without permission, but seek clarification.

COMMENTS: Brendon Lyons, Team Leader Asset Systems

Rules around the use of drones (Remotely Piloted Aircraft - RPA) are specified based on the weight of the RPA. These weight thresholds determine the requirement to obtain specific licences and if the RPA is excluded. All RPA's must comply with the Standard Operating Conditions.

The Standard Operating Conditions are defied in the regulations as:

- Only fly one RPA at a time;
- Do not fly into cloud / fog without approval from air traffic control and training;
- Only fly during the day;
- Keep your RPA within visual line-of sight;
- Do not fly your RPA higher than 120 metres (400ft) above ground level (exceptions apply);
- Keep your RPA at least 30 metres away from other people (exceptions apply);
- Keep your RPA at least 5.5km away from an aerodrome or helicopter landing site without approval;
- Do not fly your RPA over or near an area affecting public safety or where emergency operations are underway (without prior approval) - This could include situations such as a car crash, police operations, fire and associated fire-fighting efforts and search and rescue;
- Do not operate your RPA in a prohibited area or in a restricted area (as defined in the regulations) unless you have the permission of, and operate in accordance with any conditions imposed by, the authority controlling the area;
- Do not fly your RPA unless you have it under complete control;
- Do not fly your RPA over any *populous areas* - A populous area is: an area that has a sufficient density of population, these can include: beaches, parks and sporting ovals.

Excluded RPA's

Excluded RPA's are defined by their size and are defined below. Excluded RPA's can be operated without certain licences and permissions.

RPA Sizes and requirements:

Micro RPA's ($\leq 100\text{g}$) **are excluded RPA**. Neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. A micro RPA is subject to all the general regulations regarding RPA operation including the Standard Operating Conditions.

Very Small RPA's ($100\text{g} < 2\text{kg}$): If this RPA is used for sport / recreational purposes or in accordance with the Standard Operating Conditions then neither a remote pilot licence nor an operators certificate are needed to fly this aircraft. This RPA may be flown for commercial gain provided it is flown within the Standard Operating Conditions without the need for either a remote pilot's licence or an operator's certificate.

Small RPA's ($2 < 25\text{kg}$): If this RPA is used for sport/ recreational purposes then neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. Small RPA's flown for sport / recreation purposes must be able to be seen by the operator continuously, must not be flown at night without complying with the procedures of an approved aviation administration organisation, must stay away from people and populous areas; and must fly below 120 metres.

Neither a remote pilot licence nor an operators certificate are needed to fly a small RPA on your own land providing the Standard Operating Conditions are met and the Civil Aviation Safety Authority are notified of the intention to conduct an RPA operation.

Medium RPA ($25 < 150\text{kg}$): If this RPA is used for sport/ recreational purposes then neither a remote pilot licence nor an operator's certificate are needed to fly this aircraft. Medium RPA's flown for sport / recreation purposes must comply with the provisions for model aircraft.

A remote pilot licence *is* needed but not an operator's certificate to fly a medium RPA providing the Standard Operating Conditions are met and the Civil Aviation Safety Authority are notified of the intention to conduct an RPA operation.

Limited training and experience exceptions also apply to allowing use without licence or certificate [see Standard Operating Conditions].

Large RPA ($> 150\text{kg}$): A large RPA is **not** an *excluded RPA*. To operate it legally you needed a remote pilot licence; an operators certificate; and a special certificate of airworthiness (restricted category), or an experimental certificate. The large RPA has to be maintained as a *class B* aircraft and is only able to be operated with approval of the Civil Aviation Safety Authority.

Flying RPA's – The following are derived from frequently asked questions regarding the use of RPA's

Q: Can I fly an RPA over Privately Owned or Council Owned land?

A: Yes, as long as the drone is high enough that it doesn't detract from the landowner's use and enjoyment of the land and as long as you adhere to the Standard Operating Conditions. This includes Council roads and footpaths.

Q: Can I fly an RPA in a South Australian National Park or Reserve?

A: Yes, but a permit is required and as long as you adhere to the Standard Operating Conditions.

Q: Can I fly my recreational RPA over a sporting event, a busy beach or other heavily populated areas?

A: No. CASA advises recreational drone owners to steer clear of populated areas.

Q: Can I fly my RPA and use it to take photos or videos of people?

A: The legal view on this varies depending on who you talk to. There is no specific piece of legislation that protects the privacy of individuals against recreational drones.

Q: Can my neighbour use an RPA to take video footage of what's going on in my backyard without my knowledge?

A: The legal view on this varies depending on who you talk to. There is no specific piece of legislation that protects the privacy of individuals against recreational drones. However, it is not recommend you record footage of anyone without seeking permission first.

Q: Can I fly an RPA over an airfield?

A: No. If your drone weighs more than 100g, you must not launch within 5.5km of any aerodrome, airport or helicopter landing site. In the City of Marion 5.5km exclusion zones exist around the helicopter landing sites at the Morphettville Race Course and Flinders Medical Centre.

Q: Can I wear virtual reality style, first-person goggles while I pilot the drone?

A: No. It's illegal to wear first-person goggles while piloting your drone, as CASA regulations require you to maintain a direct line of sight at all times.

Some areas are designated no fly zones.

Enforcement:

As the Civil Aviation Safety Authority (CASA) is under federal jurisdiction, all enforcement is their responsibility.

South Australian Police (SAPOL) may respond to an incident relating to the use of an RPA but will pass on the details to CASA for enforcement.

Council have no responsibility to monitor or enforce any infringement relating to an RPA.

Motions without Notice

Nil

Questions without Notice

Nil

OTHER BUSINESS

MEETING CLOSURE - Meeting Declared Closed at 9.37pm

CONFIRMED THIS 30 JANUARY 2018

.....

CHAIRPERSON