MINUTES OF THE GC191210 - GENERAL COUNCIL MEETING

Tuesday, 10 December 2019 at 06:30 PM

Council Administration Centre, 245 Sturt Road, Sturt

PRESENT:

Elected Members

Mayor - Kris Hanna, Councillor - Ian Crossland, Councillor - Tim Gard, Councillor - Jason Veliskou, Councillor - Bruce Hull, Councillor - Raelene Telfer, Councillor - Kendra Clancy, Councillor - Maggie Duncan, Councillor - Matthew Shilling, Councillor - Joseph Masika

DATE:

Tuesday, 10 December, 2019 | Time 6:30 PM

VENUE:

Council Chamber

In Attendance

Chief Executive Officer – Adrian Skull
General Manager City Services – Tony Lines
General Manager City Property – Ilia Houridis
General Manager Corporate Services – Sorana Dinmore
Manager Corporate Governance – Kate McKenzie
Unit Manager Governance and Council Support – Jaimie Thwaites

OPEN MEETING

The Mayor opened the meeting at 06:30 PM

KAURNA ACKNOWLEDGEMENT

We acknowledge the Kaurna 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 (if any)

- Councillor Hull declared a conflict of interest in the item 'Tarnham Road and Seaview High School Sports Facilities' (GC191210R10).

CONFIRMATION OF MINUTES

Confirmation of the minutes for the Special General Council Meeting held on 25 November 2019 and General Council Meeting held on 26 November 2019

Report Reference: GC191210R01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That the minutes of the Special General Council Meeting held on 25 November 2019 and General Council Meeting held on 26 November 2019 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS - Nil

DEPUTATIONS

Lucretia Way Reserve Lake deputation

Report Reference: GC191210D01

Leanne Marchington gave a five minute deputation regarding the Public Consultation that is currently under way for the Lucretia Reserve Lake in Hallett Cove.

VARY ORDER OF THE AGENDA

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item 'Long Term Options to Manage the Lucretia Way Detention Basin - Hallett Cove'

Long Term Options to Manage the Lucretia Way Detention Basin - Hallett Cove

Report Reference: GC191210R04

Moved **Councillor - Ian Crossland** **Seconded** **Councillor - Tim Gard**

That Council:

1. Notes this report.

2. Notes the extensive community engagement undertaken and the feedback from the online consultation, between 29/04/19 and 20/11/19.

3. Notes the 2019/20 works program includes investigations/reports, technical investigations, surveys and detailed designs at a cost of $150,000 (Adelaide Mount Lofty NRM Board funding).

4. Endorses the Lucretia Way Detention Basin project to progress to a detailed design for a new hybrid option (which combines elements contained in Option 1 and Option 2), including the potential to adapt the wetland design to allow additional water detention with the slow release of storm water to mitigate downstream impacts in the Conservation Park.

5. Endorses a design process with ongoing community involvement.

6. Notes that the total capital cost for construction, estimated at $1,239,000 will be prioritised within the $2.722m drainage budget allocation in 2020/21 in Council's currently adopted long term financial plan.

Carried Unanimously

LEAVE OF THE MEETING

Councillor Crossland sought and was granted leave of the meeting to include the letter from the Friends of Hallett Cove Conservation Park dated 8 December 2019 with the minutes (attached as appendix 1).

COMMITTEE RECOMMENDATIONS

Confirmation of Minutes of the Infrastructure and Strategy Committee Meeting held on 3 December 2019

Report Reference: GC191210R02

Moved Councillor - Matthew Shilling Seconded Councillor - Tim Gard

That Council:

1. Receives and notes the minutes of the Infrastructure and Strategy Committee meeting of 3 December 2019 with the following points to be included under the *Oaklands Smart Precinct Project – Update* item
   - Members expressed concern that designs were not made available to Council, the Infrastructure and Strategy Committee or at a Ward Briefing prior to a Council decision to close Diagonal Way. Members were notified this decision is now subject to a Section 270 Review and will be included in the next General Council agenda.
   - Members discussed the need to have data available to drive decision making around important community issues such as a road closure and requested pedestrian destination data be collected to assess where people are walking to/from prior to Council making any decisions around detailed design of the precinct.

2. Notes that separate reports will be brought to Council for consideration of any recommendations from the

Infrastructure and Strategy Committee.

Carried Unanimously

PETITIONS - Nil

CONFIDENTIAL ITEMS

VARY ORDER OF THE AGENDA

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and bring forward the item 'Edwardstown Soldiers Memorial Community Club'

Edwardstown Soldiers Memorial Community Club

Report Reference: GC191210F04

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That pursuant to Section 90(2) 3(d) (i) and (ii) of the *Local Government Act 1999,* the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Craig Clarke, James O'Hanlon, Jaimie Thwaites and Sasha Mason, be excluded from the meeting as the Council receives and considers information relating to Edwardstown Soldiers Memorial Community Club, 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 commercial 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.

Carried

6.49pm the meeting went into confidence

Moved Councillor Veliskou Seconded Councillor Crossland

That formal meeting procedures be suspended in order to allow discussion on the item.

Carried Unanimously

6.51pm formal meeting procedures were suspended

CONFLICT OF INTEREST

Councillor Clancy declared a perceived conflict of interest in the matter as her son plays for the football club. She remained in the meeting.

7.36pm formal meeting procedures were resumed

Moved Councillor - Joseph Masika Seconded Councillor - Jason Veliskou

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments and minutes having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

2. Notwithstanding the confidentiality order of the Council, as resolved with this report, the Council authorises the Mayor and/or CEO to provide information and/or make statements in the public realm where they consider it necessary.

Carried

8.00pm the meeting came out of confidence

SWBMX Facility - Traffic Solution on Majors Road

Report Reference: GC191210F01

Moved Councillor - Matthew Shilling Seconded Councillor - Maggie Duncan

That pursuant to Section 90(2) 3(b)(i) and (ii) of the *Local Government Act 1999,* the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Brett Grimm, Carla Zub, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to the report SWBMX Facility - Traffic Solution, 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 relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council.

Carried Unanimously

8.01pm the meeting went into confidence

8.01pm Councillor - Raelene Telfer left the meeting

8.03pm Councillor - Raelene Telfer re-entered the meeting

Moved Councillor - Maggie Duncan Seconded Councillor – Ian Crossland

That Council:

1. Note the outcome of the traffic management solution to provide access from Majors Road, O'Halloran Hill to the Sam Willoughby BMX Facility.

2. Note the outcome of the Department for Planning, Transport and Infrastructure's traffic study and the proposed location of the northern bound access ramp to the Southern Expressway relative to the SWBMX Facility.

3. Authorises for Administration to progress the Sam Willoughby BMX Facility to detailed design with the project scope to include delivery of the traffic management solution, subject to consideration of a Prudential Review in accordance with Section 48 of the Local Government Act 1999.

4. Authorises Administration to continue to seek a funding contribution from the State Government towards the traffic solution.

Moved Councillor - Maggie Duncan Seconded Councillor - Matthew Shilling

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and attachments, having been considered in confidence under Section 90(2) and (3)(b and d) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

8.06pm the meeting came out of confidence

8.06pm Councillor - Joseph Masika left the meeting

Electric Vehicle Charging Stations

Report Reference: GC191210F02

Moved Councillor - Raelene Telfer Seconded Councillor - Maggie Duncan

That:

1. That pursuant to Section 90(2) 3(b) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Mathew Allen, Carl Lundborg, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as the Council receives and considers information relating to the report Electric Vehicle Charging Stations, 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 relating to matters pertaining to commercial operations of a confidential nature, 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 prejudice the commercial position of the council.

Carried Unanimously

Moved **Councillor - Bruce Hull** **Seconded** **Councillor - Ian Crossland**

That Council:

1. Notes the report

2. Advises Jolt Charge Pty Ltd that they are the successful proponent in the delivery of Electric Vehicle charging stations in the Marion council area under the terms and conditions described in this report.

3. Issues a permit for a 5 + 5 + 5 year arrangement in accordance with the Local Government Act.

4. Advises the Cities of Charles Sturt and Port Adelaide Enfield of (2) and (3) above.

Carried Unanimously

Moved **Councillor - Bruce Hull** **Seconded** **Councillor - Tim Gard**

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments, Electric Vehicle Charging Stations, having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

8.16pm the meeting came out of confidence

SRWRA Materials Recovery Facility (MRF)

Report Reference: GC191210F03

Moved **Councillor - Raelene Telfer** **Seconded** **Councillor - Maggie Duncan**

That pursuant to Section 90(2) 3(d) (i) and (ii) of the *Local Government Act 1999,* the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Tony Lines, Ilia Houridis, Sorana Dinmore, Kate McKenzie, Ray Barnwell, Craig Clarke and Jaimie Thwaites, be excluded from the meeting as

the Council receives and considers information relating to SRWRA Materials Recovery Facility (MRF), 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 commercial 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.

Carried Unanimously

8.17pm the meeting went into confidence.

Moved Councillor - Ian Crossland Seconded Councillor - Matthew Shilling

That Council:

1. receives the Materials Recovery Facility Prudential Report prepared for the SRWRA by UHY Haines Norton dated December 2019 (Attachment B).

2. approves the SRWRA request to borrow up to $8.0 million from the Local Government Finance Authority if the SRWRA Board consider it necessary and prudent to do so.

3. notes that the level of borrowings noted in resolution 2 will be reduced through the SRWRA continuing to seek

    a. State and Federal funding
    b. Additional Council or Waste authority customers
    c. Opportunities to partner with private enterprises for capital investment and / or operation of the MRF.

4. approves the SRWRA incurring capital expenditure of up to $17.523 million (including 10% contingency) for the building and implementing of a Materials Recovery Facility.

5. resolves to commit all of its commingled domestic recyclables to be processed at the SRWRA MRF.

6. notes that the gate fee for SRWRA to receive and process Council's commingled domestic recyclables is modelled at $75 per tonne and will be subject to contract clauses relating to:

    a. Contamination rates of recyclables
    b. Commodity market rise and fall

Carried Unanimously

Moved Councillor - Ian Crossland Seconded Councillor - Matthew Shilling

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report and attachments, having been considered in confidence under Section 90 (2) and (3)(d) and (ii) 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 for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council meeting in December 2020.

Carried Unanimously

8.29pm the meeting came out of confidence

CORPORATE REPORTS FOR DECISION

Spinnaker Circuit Reserve East - Community Engagement

Report Reference: GC191210R03

Moved Councillor Veliskou Seconded Councillor Gard

That formal meeting procedures be suspended in order to allow discussion on the item.

Carried Unanimously

8.36pm formal meeting procedures were suspended

8.54pm formal meeting procedures were resumed

Moved Councillor - Raelene Telfer Seconded Councillor - Kendra Clancy

That Council:

Option 5 (Five year lease without Community Consultation)

1. Notes the report.
2. Acknowledges that Community Consultation regarding leasing the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East to the St Martin de Porres School for a period of five years is not required.
3. Authorises the Chief Executive Officer to negotiate and enter into a lease of the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East at an amount that reflects a market rent from January 2020 for a five year term.

Carried

Division Called by Councillor Shilling

The vote was set aside to allow a vote for which individual Councillor decisions are recorded:

Voters	Against	For
Councillor - Bruce Hull		X

Councillor - Ian Crossland	X	
Councillor - Jason Veliskou	X	
Councillor - Joseph Masika		X
Councillor - Kendra Clancy		X
Councillor - Maggie Duncan	X	
Councillor - Matthew Shilling	X	
Councillor - Raelene Telfer		X
Councillor - Tim Gard		X

Carried

Reconciliation Action Plans 2016-2019 and 2020-2023

Report Reference: GC191210R05

Moved **Councillor - Bruce Hull** **Seconded** **Councillor - Raelene Telfer**

8.57pm Councillor Shilling left the meeting That Council:

1. Endorses the Draft Stretch level Reconciliation Action Plan 2020-2023 (Appendix 1)

2. Endorses a total of $20,900 over the next four years for the Reconciliation Action Plan:
   - $2,725 in 2019/20 to be funded through the 2nd Budget Review of 2019/20
   - $2,975 in 2020/21 for inclusion in Council's Long Term Financial Plan
   - $11,725 in 2021/22 for inclusion in Council's Long Term Financial Plan
   - $3,475 in 2022/23 for inclusion in Council's Long Term Financial Plan

Carried Unanimously

Reconciliation Statement Policy

Report Reference: GC191210R06

Moved **Councillor - Raelene Telfer** **Seconded** **Councillor - Joseph Masika**

9.00pm Councillor Shilling re-entered the meeting That Council:

1. Endorses the Reconciliation Statement Policy for public consultation (Appendix 1)

Carried Unanimously

Draft - Elected Member Social Media and Media Policy

Report Reference:GC191210R07

Moved **Councillor - Jason Veliskou** **Seconded** **Councillor - Ian Crossland**

That Council:

1. Notes the report.

Carried Unanimously

Cove Sports Netball Courts

Report Reference: GC191210R08

Moved **Councillor - Maggie Duncan** **Seconded** **Councillor - Matthew Shilling**

That Council:

1. Notes the report
2. Authorises the General Manager City Development delegation to sign off on relevant documentation relating to the delivery of the two courts and associated works as outlined in this report.
3. Supports the recommendation for these courts to remain open for public use when not in use by clubs as per their respective leases.
4. Endorses an allocation of $6,413 p.a in the Long Term Financial Plan for depreciation and $9,341 p.a for projected operating and maintenance costs.

Carried Unanimously

Marion Sports and Community Club - Landlord Consent

Report Reference: GC191210R09

Moved **Councillor - Raelene Telfer** **Seconded** **Councillor - Matthew Shilling**

That Council:

1. Grants Landlord Consent to extend the recently completed balcony structure on top of the existing concrete slab viewing area (Project 1) at Marion Sports and Community Club, 262B Sturt Road, Marion Certificate of Title Volume 6063 Folio 665, Volume 5497 Folio 569 and Volume 6063 Folio 666 subject to:

    - All works being undertaken in a professional manner and to the satisfaction of the City of Marion
    - The City of Marion being indemnified against all claims, suites, losses etc. that may result from carrying out this work

2. Grants Landlord Consent to refurbish the existing commercial grade kitchen (Project 2) at Marion Sports and Community Club, 262B Sturt Road, Marion Certificate of Title Volume 6063 Folio 665, Volume 5497 Folio 569 and Volume 6063 Folio 666 subject to:

    - All works being undertaken in a professional manner and to the satisfaction of the City of Marion
    - The City of Marion being indemnified against all claims, suites, losses etc. that may result from carrying out this work

3. Delegates to the General Manager City Development approval to authorise any relevant documents necessary to facilitate the construction and management of the works.

4. Advises that the Marion Sports and Community Club Incorporated will be responsible for any related costs and will be responsible for all future maintenance and repairs.

5. Notes that Landlord Consent will be subject to Development Approval and Building Rules Consent.

Carried Unanimously

Tarnham Road and Seaview High School Sports Facilities

Report Reference: GC191210R10

CONFLICT OF INTEREST

Councillor Hull declared a conflict of interest in the item as his daughter attends Seaview High School and he left the meeting.

9.05pm Councillor Hull left the meeting

Moved Councillor - Raelene Telfer Seconded Councillor - Matthew Shilling

That Council

1. Notes the report.

2. Approves the redevelopment of the Tarnham Rd Reserve, with four multipurpose courts and open space development on the eastern end.

3. Endorses the redevelopment of these four multipurpose courts, from the Asset Sustainability Reserve in 2020/21.

4. Endorses that the open space concept design and cost estimates be brought back to Council by November 2020.

5. Notes the estimated budget of $1,640,000 to develop the eastern end of Tarnham Road Reserve with four multipurpose courts and open space development.

6. A further report will be presented to Council on reticulation of traffic and potential car parking in November 2020.

7. Authorises administration to write to Seaview High School advising them of Council's decision, and thanking them for their involvement and cooperation, in exploring the opportunity for developing shared school and community facilities

Carried

Lonsdale Residential DPA

Report Reference: GC191210R11

9.11pm Councillor Hull re-entered the meeting

Moved **Councillor - Ian Crossland** **Seconded** **Councillor - Maggie Duncan**

That Council:

1. Considers the Lonsdale Residential DPA (Ministerial) as in Attachment 1

2. Endorses the draft written submission to the State Planning Commission as in Attachment 2

Carried Unanimously

Planning Reform Update and Resource Review

Report Reference: GC191210R12

Moved **Councillor - Matthew Shilling** **Seconded** **Councillor - Maggie Duncan**

That Council:

1. Note this report.

Carried Unanimously

9.17pm Councillor Veliskou left the meeting

9.17pm Councillor Veliskou re-entered the meeting

Request for Review of Decision - Closure of Diagonal Way

Report Reference: GC191210R13

Moved Councillor - Bruce Hull Seconded Councillor - Raelene Telfer

9.19 pm Councillor Duncan left the meeting That Council

1. Appoints an independent investigator to complete a Review of Decision regarding the decision of Council to close Diagonal Way.

2. Management advise Mr Steve Robertson of the appointment of an independent investigator to complete the review.

Lost

Moved Councillor - Ian Crossland Seconded Councillor - Matthew Shilling

That Council

1. Endorses an internal review panel to complete a Review of Decision regarding the decision of Council to close Diagonal Way.

2. Management advise the Mr Steve Robertson that an internal review panel will complete the review**.**

Lost

MEETING EXTENSION

Moved Councillor Veliskou, Seconded Councillor Crossland

That the meeting be extended to the conclusion of the Review of Confidential orders.

Carried

ANNUAL REVIEW OF CONFIDENTIAL ORDERS

Review of Confidential Items Overview - 2019

Report Reference: GC191210R14

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. That the following items be moved en bloc as per the printed recommendations:
   - Review of Confidential Items Overview – 2019 (GC191210R14)
   - Review of Confidential items Reports GC191210R14 – (1) to GC191210R14 – (156), with the exception of Report *Review of Confidential Item - Cove Investigation – Response to Findings of Fact, GC190924F02 (*GC191210R14 - (16))

Carried Unanimously

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

1. That Council notes the report, *'Review of Confidential Orders - Overview - 2019'.*

Carried Unanimously

1. Review of Confidential Item - Organisational Service Reviews Qtr 1 2016/17, FAC151216F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Organisational Service Reviews Quarter 1 2016/17, FAC151216F01', and appendices be revoked

Carried Unanimously

2. Review of Confidential Item - Marion Outdoor Swimming Pool - Service Review, GC240117F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Marion Outdoor Swimming Pool -

Service Review, GC240117F02', and appendices be revoked.

Carried Unanimously

3. Review of Confidential Item - Marion Sports and Community Club Lease, GC220817R07

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Marion Sports and Community Club Lease, GC220817R07, Appendix 5 be revoked.

Carried Unanimously

4. Review of Confidential Item - Expression of Interest for Potential Land Acquisition Opportunity at Morphettville, GC281117F07

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. the confidentiality order pertaining to the report 'Expression of Interest for Potential Land Acquisition Opportunity at Morphettville, GC281117F07' and Appendix 1 be revoked.

Carried Unanimously

5. Review of Confidential Item - Finance and Audit Committee Minutes, GC300118F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report 'Finance and Audit Committee Confidential Minutes, GC300118F01' be revoked.

Carried Unanimously

6. Review of Confidential Item - Verbal Update from Chief Executive Officer, FAC270218

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the minutes for the item 'Verbal Update from Chief Executive Officer, FAC270218 ' be revoked.

Carried Unanimously

7. Review of Confidential Item - Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options, GC190212F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Mitchell Park Sports and Community Club Redevelopment - Redevelopment Options, GC190212F01” appendices and minutes be revoked.

Carried Unanimously

8. Review of Confidential Item - Seaview High School Sports Facilities Partnership – Confidential Appendix, GC260319F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Seaview High School Sports Facilities Partnership – Confidential Appendix, GC260319F04” appendices be revoked.

Carried Unanimously

9. Review of Confidential Item - Code of Conduct, GC190625F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC190625F01, appendices and minutes arising from this report be revoked and the item be released.

Carried Unanimously

10. Review of Confidential Item - Independent Member – Finance and Audit Committee and SRWRA Audit Committee, RSC190806R02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Independent Member – Finance and Audit Committee and SRWRA Audit Committee, RSC190806R02” appendices and minutes be revoked.

Carried Unanimously

11. Review of Confidential Item - Confidential Minutes of the Review and Selection Committee Meeting held on Tuesday 6 August 2019, GC190813F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confidential Minutes of the Review and Selection Committee Meeting held on Tuesday 6 August 2019, GC190813F01” and appendices be revoked.

Carried Unanimously

12. Review of Confidential Item - Independent Member – Finance and Audit Committee and SWARA Audit Committee, GC190813F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Independent Member – Finance and Audit Committee and SWARA Audit Committee, GC190813F02” appendices and minutes be revoked.

Carried Unanimously

13. Review of Confidential Item - Political Signage, GC190813F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report "Political Signage, GC190813F04 and appendices be revoked.

Carried Unanimously

14. Review of Confidential Item - Confidential Adjourned Item – Political Signage Report, SGC190902F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report "Confidential Adjourned Item – Political Signage Report, SGC190902F01" and appendices be revoked.

Carried Unanimously

15. Review of Confidential Item - Tony Kernahan – President of Cove Football Club (Confidential), GC190924D01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Deputation "Tony Kernahan – President of Cove Football Club (Confidential), GC190924D01 " be revoked.

Carried Unanimously

17. Review of Confidential Item - Commercial Development Proposal, GC080518F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Commercial Development Proposal, GC080518F01,” and minutes be revoked and the item be released with the business names redacted.

Carried Unanimously

18. Review of Confidential Item - Commercial Development Within Regional Centre Zone, GC120618F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Commercial Development Within Regional Centre Zone, GC120618F02” and appendices be revoked and the item be released with the business names redacted.

Carried Unanimously

19. Review of Confidential Item - Code of Conduct, GC180724F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC180724F02, appendices and minutes arising from this report be revoked and the item be released with the names and identifying information of any staff or members of the public redacted.

Carried Unanimously

20. Review of Confidential Item - Code of Conduct, GC180814F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct, GC180814F04, appendices and minutes arising from this report be revoked and the item be released with

the names and identifying information of any staff or members of the public redacted.

Carried Unanimously

21. Review of Confidential Item - Code of Conduct Preliminary Report - Matter 1, GC180911F07

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct Preliminary Report - Matter 1, GC180911F07, appendices and minutes arising from this report be revoked and the item be released with the names and identifying information of any staff or members of the public redacted.

Carried Unanimously

22. Review of Confidential Item - Code of Conduct Preliminary Report - Matter 2, GC180911F08

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the report Code of Conduct Preliminary Report - Matter 2, GC180911F08, appendices and minutes arising from this report be revoked and the item be released with the names and any identifying information of any staff or members of the public redacted.

Carried Unanimously

23. Review of Confidential Item - Confirmation of the Finance and Audit Committee Confidential Minutes from the Meeting on 11 December 2018, GC190129F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confirmation of the Finance and Audit Committee Confidential Minutes from the Meeting on 11 December 2018, GC190129F01” and appendices be revoked and the item be released with the business names redacted.

Carried Unanimously

24. Review of Confidential Item - Appointment to Council Assessment Panel, RSC190528F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Appointment to Council Assessment Panel, RSC190528F01” and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

Carried Unanimously

25. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee Meeting – 28 May 2019, GC190611F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Confirmation of Confidential Minutes of the Review and Selection Committee Meeting – 28 May 2019, GC190611F02” and appendices be revoked and the items be released with the names of the unsuccessful candidates redacted.

Carried Unanimously

26. Review of Confidential Item - Review and Selection Committee – Appointment of Independent Council Assessment Panel (CAP) Members, GC190611F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. The confidentiality order pertaining to the Report “Review and Selection Committee – Appointment of Independent Council Assessment Panel (CAP) Members, GC190611F04” appendices and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

Carried Unanimously

27. Review of Confidential Item - Confirmation of the minutes of the Review and Selection Committee Meeting held on 24 September 2019, GC191008F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. The confidentiality order pertaining to the Report "Confirmation of the minutes of the Review and Selection Committee Meeting held on 24 September 2019, GC191008F01" appendices and minutes be revoked and the items be released with the names of the unsuccessful candidates redacted.

Carried Unanimously

28. Review of Confidential Item - Living Kaurna Cultural Centre, GC250105F02

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Living Kaurna 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.

2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

29. Review of Confidential Item - Living Kaurna Cultural Centre, GC220305F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Living Kaurna Cultural Centre, GC220305F01'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.

2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

30. Review of Confidential Item - Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

31. Review of Confidential Item - Provision of Advertising on Bus Shelters to City of Marion, GC270207F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. 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.

2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

32. Review of Confidential Item - Oaklands Regeneration Project, State Aquatic, SGC300608F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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. Delegate to the CEO the power to revoke the confidential order.

3. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

33. Review of Confidential Item - CEO Performance Review - Appointment of External Consultant, CRC291111F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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. Delegate to the CEO the power to revoke the confidential order.

3. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

34. Review of Confidential Item - Commercial Arrangements, GC240112F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020.

Carried Unanimously

35. Review of Confidential Item - Commercial Arrangements, GC240712F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020.

Carried Unanimously

36. Review of Confidential Item - Commercial Arrangements, GC260313F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Commercial Arrangements, GC260313F02, 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 2020.

Carried Unanimously

37. Review of Confidential Item - Chief Executive Officer's Employment Contract, SGC190215F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

38. Review of Confidential Item - Cove Civic Centre - Cost and Programme Management, GC240215F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 thatthe 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 2020 meeting of Council.

Carried Unanimously

39. Review of Confidential Item - Surplus Land Associated with City Services Development, GC240315F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 and appendices 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 2020.

Carried Unanimously

40. Review of Confidential Item - Signatures Cafe, GC240315F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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, 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 2020.

Carried Unanimously

41. Review of Confidential Item - Internal Audit and Service Reviews Tender Assessment, AC180815F8.2

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council 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 2020 Council meeting.

Carried Unanimously

42. Review of Confidential Item - Internal Audit and Service Reviews Tender, GC250815F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 Council meeting.

Carried Unanimously

43. Review of Confidential Item - Investigation, GC250815F05

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC250815F05' 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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the conditions of confidentiality no longer exist.

2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

44. Review of Confidential Item - Signatures Cafe, GC080915F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020.

Carried Unanimously

45. Review of Confidential Item - Investigation, GC080915F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC080915F03',appendices 1 to 4 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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90 (3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the Council no longer has a duty of confidence.

2. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

46. Review of Confidential Item - Telecommunications Facilities Morphettville, GC131015R01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 Morphettville, GC131015R01' be kept confidential and not available for public inspection on the basis thatthe 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 2020 meeting of Council.

Carried Unanimously

47. Review of Confidential Item - Signatures Cafe, GC260416F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020.

Carried Unanimously

48. Review of Confidential Item - CEO Interim Performance Review, GC240516F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

49. Review of Confidential Item - Glenthorne Farm, GC280616F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

50. Review of Confidential Item - Signatures Cafe, GC260716F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020.

Carried Unanimously

51. Review of Confidential Item - Local Government Association Membership, SGC010816F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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, having been considered in confidence under s 90(2) and (3)(b) and (h) 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 2020 meeting of Council.

Carried Unanimously

52. Review of Confidential Item - Internal Audit Program, FAC160816R7.8

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

53. Review of Confidential Item - Finance and Audit Committee Minutes, GC230816F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council

Carried Unanimously

54. Review of Confidential Item - CEO Annual Performance Review 2015/16, GC240516F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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, 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 2020 meeting of Council.

Carried Unanimously

55. Review of Confidential Item - Internal Audit Contract, FAC151216F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

56. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC240117F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

57. Review of Confidential Item - CEO Key Performance Indicators for Quarter 2 - 2016/17, RSC070217R8.1

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key 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 2020 meeting of Council.

Carried Unanimously

58. Review of Confidential Item - LGA Insurance Schemes Review, FAC280217R7.1

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

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 2020 meeting of Council.

Carried Unanimously

59. Review of Confidential Item - LGA Membership, FAC280217R7.2

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report and Appendix 1 (LGA 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 2020 meeting of Council.

Carried Unanimously

60. Review of Confidential Item - External Audit Tender, FAC280217R7.5

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report External Audit Tender, FAC280217R7.5 and Appendix 1 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 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 2020 meeting of Council.

Carried Unanimously

61. Review of Confidential Item - Signatures Cafe, GC280217F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020.

Carried Unanimously

62. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC140317F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

63. Review of Confidential Item - Local Government Association Membership, GC140317F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

64. Review of Confidential Item - Local Government Association Insurance Schemes Review, GC140317F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

65. Review of Confidential Item - External Audit Tender, GC140317F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that

this report External Audit Tender, GC140317F04 and Appendix 1 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 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 2020 meeting of Council.

Carried Unanimously

66. Review of Confidential Item - Signatures Cafe, GC110417F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020.

Carried Unanimously

67. Review of Confidential Item - CEO Key Performance Indicators for Quarter 3 - 2016/17, RSC020517R8.1

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key 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 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 2020 meeting of Council.

Carried Unanimously

68. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01 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 2020 meeting of Council.

Carried Unanimously

69. Review of Confidential Item - CEO Key Performance Indicators for Quarter 3 2016/17, GC090517F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key 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 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 2020 meeting of Council.

Carried Unanimously

70. Review of Confidential Item - Commercial Proposal for a Recreational Facility Development, GC080817F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Commercial Proposal for a Recreational Facility Development, GC080817F01, Appendix 1 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 2020 meeting of Council.

Carried Unanimously

71. Review of Confidential Item - Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council 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. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.

3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

72. Review of Confidential Item - Edwardstown Oval - Pre-tender estimate and approval to call the Stage 2 Construction Tender, SGC120917F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council 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. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.

3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

73. Review of Confidential Item - Selection of candidates for interview/appointment for Council Assessment Panel, RSC190917R8.1

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

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 2020 meeting of Council.

Carried Unanimously

74. Review of Confidential Item - Section 48 Prudential Report - BMX, FAC101017R8.14

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council 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 2020 meeting of Council

Carried Unanimously

75. Review of Confidential Item - 73 Cove Road Marino, FAC101017R8.15

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council 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 involve the unreasonable disclosure of information concerning the person affairs of any person (living or dead); and information relating to actual litigation, or litigation that is believed on reasonable grounds will take place, involving the Council or an employee 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 2020 meeting of Council.

Carried Unanimously

76. Review of Confidential Item - Signatures Cafe, GC101017F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC101017F03 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 2020.

Carried Unanimously

77. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee held 10 October 2017, GC241017F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

78. Review of Confidential Item - Signatures Cafe, GC241017F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report Signatures Cafe, GC241017F02 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 2020.

Carried Unanimously

79. Review of Confidential Item - CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020 meeting of Council.

Carried Unanimously

80. Review of Confidential Item - CEO KPI's Annual Confidential Report 2016/17, RSC071117F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020 meeting of Council.

Carried Unanimously

81. Review of Confidential Item - CEO KPI's Report Quarter One 2017/18, RSC071117F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 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 2020 meeting of Council.

Carried Unanimously

82. Review of Confidential Item - CEO & Corporate KPI's 2017/18 Quarter 1, SGC271117F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO & Corporate KPI's 2017/18 Quarter 1, 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 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 2020 meeting of Council.

Carried Unanimously

83. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01 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 2020 meeting of Council.

Carried Unanimously

84. Review of Confidential Item - CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2020 meeting of Council.

Carried Unanimously

85. Review of Confidential Item - CEO KPI's Annual Confidential Report 16/17, GC281117F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 16/17, GC281117F03 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 2020 meeting of Council.

Carried Unanimously

86. Review of Confidential Item - Edwardstown Oval - Approval to Award Construction Tender, GC281117F05

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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. Council delegates to the Chief Executive Officer the power to revoke the confidentiality order.

3. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

87. Review of Confidential Item - Morphettville Park Sports and Community Club Redevelopment, GC281117F06

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 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 2020 meeting of Council.

Carried Unanimously

88. Review of Confidential Item - Interim Management for Edwardstown Soldiers Memorial Recreation Grounds Report, GC121217F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Interim Management for Edwardstown Soldiers Memorial Recreation Grounds, GC121217F01, and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to legal advice and 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 2020 meeting of Council.

Carried Unanimously

89. Review of Confidential Item - BMX Project - Update Report, FAC121217F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, FAC121217F02, 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 2020 meeting of Council.

Carried Unanimously

90. Review of Confidential Item - BMX Project - Update Report, GC300118F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, GC300118F02, and Appendices 1 and 2 of 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 2020 meeting of Council

Carried Unanimously

91. Review of Confidential Item - Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03, GC300118F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 of the report, 'Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03', GC300118F03 having been considered in confidence under Section 90(2) and (3)(g) 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 for a period of 12 months from the date of this meeting or until Council's duty of confidence is no longer in force.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

92. Review of Confidential Item - Selection of Candidates for Interview / Appointment for the Finance and Audit Committee, RSC300118F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Selection of Candidates for Interview / Appointment for the Finance and Audit Committee, RSC300118F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act 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 various persons. 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 2020.

Carried Unanimously

93. Review of Confidential Item - Insurance Market Testing, FAC270218F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 (Insurance Market Testing, FAC270218F01) 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) and (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.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

94. Review of Confidential Item - Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held 30 January 2018, GC130218F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held 30 January 2018, GC130218F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act 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 various persons. 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 2020 meeting of Council.

Carried Unanimously

95. Review of Confidential Item - Urban Activation Project, GC270218F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Urban Activation Project, GC270218F02, and appendices 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 that the information relates to commercial

information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

96. Review of Confidential Item - Kaurna Native Title Claim, GC130318F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Kaurna Native Title Claim, G30318F01, and minutes having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains 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. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

Carried Unanimously

97. Review of Confidential Item - Finance and Audit Committee Confidential Minutes, GC130318F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the Appendix to this report (Finance and Audit Committee Confidential Minutes, GC130318F02) 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 and to ensure that the council does not breach any law, order or direction or a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty (Section 90(3)(d) and (g) 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 2020 meeting of Council.

Carried Unanimously

98. Review of Confidential Item - Insurance Market Testing, GC130318F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 (Insurance Market Testing, GC130318F03) 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) and (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.

2. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

99. Review of Confidential Item - Management Model for Regional Facilities, GC130318F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Management Model for Regional Facilities, GC130318F04, and minutes having been considered in confidence under Section 90(2) and (3)(a) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to personal affairs and commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

100. Review of Confidential Item - BMX Project - Progress Report, ISC060318F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Progress Report, ISC060318F01, appendices and minutes arising from the 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

101. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 6 March 2018, GC270318F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 6 March 2018, GC270318F01, and appendix arising from the 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

102. Review of Confidential Item - BMX Project, ISC010518F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project, ISC010518F01, appendices and minutes arising from the 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

103. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 1 May 2018, GC220518F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 1 May 2018, GC220518F01, and appendix arising from the 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

104. Review of Confidential Item - Confirmation of the Confidential Minutes of the Infrastructure and Strategy Committee meeting held 3 July 2018, GC180724F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 3 July 2018, GC180724F01, and appendix arising from the 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

105. Review of Confidential Item - Confidential - Tonsley Water Agreement, GC180724F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential - Tonsley Water Agreement, GC180724F03, and minutes 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

106. Review of Confidential Item - BMX - Progress Report on Darlington Site Option, ISC180703F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX - Progress Report on Darlington Site Option, ISC180703F01, appendices and minutes arising from the 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

107. Review of Confidential Item - Expression of Interest - 262 Sturt Road - Progress Report and Next Stage, GC180828F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Expression of Interest - 262 Sturt Road - Progress Report and Next Stage, GC180828F01, and Appendices 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 2020 meeting of Council.

Carried Unanimously

108. Review of Confidential Item - Proposed Class Action, GC180814F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180814F03, and appendices 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

109. Review of Confidential Item - CEO Annual Performance Review 2017/18, RSC180828F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2017/18, RSC180828F01 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 2020 meeting of Council.

Carried Unanimously

110. Review of Confidential Item - Proposed Class Action, GC180911F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180911F01, and appendices 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 that the information relates to commercial information of a confidential nature, 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 2020 meeting of Council.

Carried Unanimously

111. Review of Confidential Item - Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, GC180911F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, GC180911F02, and Appendices 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 2020 meeting of Council.

Carried Unanimously

112. Review of Confidential Item - Expression of Interest - Community Wireless Internet Services, GC180911F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Expression of Interest - Community Wireless Internet Services, GC180911F03 and appendices 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

113. Review of Confidential Item - Coastal Walkway - Confidential Appendix, GC180911F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Coastal Walkway - Confidential Appendix, GC180911F04, and appendices having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains

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. Unless revoked prior, this confidential order be reviewed at the December 2020 meeting of Council

Carried Unanimously

114. Review of Confidential Item - Review and Selection Committee Confidential Minutes from the meeting 28 August 2018, GC180911F05

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Review and Selection Committee Confidential Minutes from the meeting 28 August 2018, GC180911F05 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 2020 meeting of Council.

Carried Unanimously

115. Review of Confidential Item - CEO Annual Performance Review 2017/18, GC180911F06

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

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 2017/18, GC180911F06 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 2020 meeting of Council.

Carried Unanimously

116. Review of Confidential Item - Code of Conduct Complaint, GC181127F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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, GC181127F01, appendices and minutes arising from 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 2020 meeting of Council.

Carried Unanimously

117. Review of Confidential Item - Cove Sports and Community Club Licence, SGC190122F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports and Community Club Licence, SGC190122F01' together with all annexure 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 breach a duty of confidence and the report contains legal advice and information of a commercial nature 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. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

118. Review of Confidential Item - BMX Project – Outcome of Darlington Investigations, GC190129F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Outcome of Darlington Investigations, GC190129F02' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would breach a duty of confidence under the Aboriginal Heritage Act 1988 (Section (90(3)(g)) and the report contains legal advice (Section 90(3)(h)) 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. This confidential order be reviewed at the December 2020 meeting of Council.

Carried Unanimously

119. Review of Confidential Item - BMX Project – Financial Summary of Costs, GC190129F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Financial Summary of Costs, GC190129F03' together with all annexure 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 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 2020 meeting of Council.

Carried Unanimously

120. Review of Confidential Item - Oaklands Park Urban Renewal Proposal, GC190129F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Oaklands Park Urban Renewal Proposal, GC190129F04' together with all annexure, Presentation, Oaklands Park Urban Renewal Proposal 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)(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 2020 meeting of Council.

Carried Unanimously

121. Review of Confidential Item - S48 Prudential Management Review – Waste Services, FAC190226F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Finance and Audit Committee orders that this report, S48 Prudential Management Review – Waste Services, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Finance and Audit Committee's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

122. Review of Confidential Item - Marion Outdoor Pool, GC190226F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool, GC190226F01' 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) 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 2020 meeting of Council.

Carried Unanimously

123. Review of Confidential Item - Marion Golf Club, ISC190305F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Golf Club, ISC190305F01' 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) 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 2020 meeting of Council.

Carried Unanimously

124. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 26 February 2019, GC190312F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 26 February 2019, GC190312F01, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Council's resolution (s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

125. Review of Confidential Item - S48 Prudential Management Review – S48 Prudential Management Review – Waste Services, GC190312F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that this report, S48 Prudential Management Review - Waste Services, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act, except when required to effect or comply with the Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting.

2. This confidentiality order will be reviewed at the General Council Meeting in December 2020.

Carried Unanimously

126. Review of Confidential Item - Outcome of Business Case – 262 Sturt Road, Marion, GC190312F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices and the report except for the Executive Summary of the report (except for the last paragraph, which is to remain confidential) to the item “Outcome of the Business Case - 262 Sturt Road, Marion” GC120319 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 and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council (Section 90(3)(b)). 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 2020 meeting of Council.

Carried Unanimously

127. Review of Confidential Item - Morphettville Park Sports Club Redevelopment – Approval to call Tenders for Construction, GC190312F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ‘Morphettville Park Sports Club Redevelopment – Approval to call Tenders for Construction, GC190312F04' together with all annexure 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. 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 2020 meeting of Council.

Carried Unanimously

128. Review of Confidential Item - Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019, GC190326F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019, GC190326F01' 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) 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 2020 meeting of Council.

Carried Unanimously

129. Review of Confidential Item - Cove Sports Settlement of licence, GC190326F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports Settlement of Licence, GC190326F02' and the dollar figure in point four of the minutes and any appendix arising from this 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. 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 2020 meeting of Council.

Carried Unanimously

130. Review of Confidential Item - Coastal Walkway Progress Report – Confidential Appendix, GC190326F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Coastal Walkway Progress Report – Confidential Appendix, GC190326F03' together with all annexure 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 2020 meeting of Council.

Carried Unanimously

131. Review of Confidential Item - Progress Report on the Southern Football Facility, Major Road, GC190423F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Progress Report on the Southern Football Facility, Major Road, GC190423F01' together with all annexure 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 toto 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)). 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 2020 meeting of Council.

Carried Unanimously

132. Review of Confidential Item - Council Owned Vineyards, GC190423F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report, 'Council Owned Vineyards, GC190423F03' together with all annexure, 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). 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 2020 meeting of Council.

Carried Unanimously

133. Review of Confidential Item - Selection of Candidates for interview /appointment to Council Assessment Panel, RSC190507F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Selection of Candidates for interview /appointment to Council Assessment Panel, RSC190507F01, appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act 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 various persons. 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 2020.

Carried Unanimously

134. Review of Confidential Item - Westminster Reserve, GC190514F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Westminster Reserve Report Reference: GC190514F01' 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) 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 2020 meeting of Council.

Carried Unanimously

135. Review of Confidential Item - Internal Audit Tender Evaluation, FAC190528F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Internal Audit Tender Evaluation, FAC190528F01' any thing distributed at the meeting and minutes, 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). 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 2020 meeting of Council.

Carried Unanimously

136. Review of Confidential Item - Confirmation of the Confidential Minutes of the Review and Selection Committee Meeting held on 7 May 2019, GC190514F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confirmation of the Confidential Minutes of the Review and Selection Committee Meeting held on 7 May 2019, GC190514F02, the appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3) (a) of the Act 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 various persons. 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 2020.

Carried Unanimously

137. Review of Confidential Item - Westminster Reserve – Adjourned Report, GC190611F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Westminster Reserve – Adjourned Report, GC190611F01' 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 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) 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 2020 meeting of Council.

Carried Unanimously

138. Review of Confidential Item - Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting – 28 May 2019, GC190611F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting – 28 May 2019, GC190611F03' and appendices, 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). 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 2020 meeting of Council.

Carried Unanimously

139. Review of Confidential Item - Internal Audit Tender Outcomes, GC190611F05

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Internal Audit Tender Outcomes, GC190611F05' and appendices, 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 information that relates to a tender for the provision of services (Section 90(3)(k)). 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 2020 meeting of Council.

Carried Unanimously

140. Review of Confidential Item - Potential Land Acquisition, GC190611F07

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Potential Land Acquisition, GC190611F07' 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) 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 2020 meeting of Council.

Carried Unanimously

141. Review of Confidential Item - Marion Outdoor Pool Upgrade – Stage 3 Works, GC190723F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool Upgrade – Stage 3 Works, GC190723F01' 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) 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 2020 meeting of Council.

Carried Unanimously

142. Review of Confidential Item - Service Review – Corporate Information and Communication Technology – Report, FAC190820F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' Service Review – Corporate Information and Communication Technology – Report, FAC190820F01' appendices and minutes, 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 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons (Section 90(3)(a)) . 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 2020 meeting of Council.

Carried Unanimously

143. Review of Confidential Item - Finance and Audit Committee Independent Member, RSC190924F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Finance and Audit Committee Independent Member, RSC190924F01, the appendix arising from the report and minutes having been considered in confidence under Section 90(2) and (3)(a) of the Act 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 various persons. 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 2020.

Carried Unanimously

144. Review of Confidential Item - Council Solutions Kerbside Waste Tender Outcomes, GC190813F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Council Solutions Kerbside Waste Tender Outcomes, GC190813F03, appendices and minutes 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

145. Review of Confidential Item - Cat Curfew By-law Update, GC190827F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC190827F01' together with all annexure 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 2020 meeting of Council.

Carried Unanimously

146. Review of Confidential Item - Cove Sports and Community Committee Investigation, SGC190902F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' Cove Sports and Community Committee Investigation, SGC190902F02' 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 maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. 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 2020 meeting of Council.

Carried Unanimously

147. Review of Confidential Item - Cove Sports & Community Club Management, SGC190902F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports & Community Club Management, SGC190902F03' 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 maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. 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 2020 meeting of Council.

Carried Unanimously

148. Review of Confidential Item - Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, GC190924F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council

orders that the report, 'Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, GC190924F01' and appendices, 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 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons (Section 90(3)(a)) . 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 2020 meeting of Council.

Carried Unanimously

149. Review of Confidential Item - Marion Outdoor Pool Stage 3 - Progress Update, GC191022F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Outdoor Pool Stage 3 - Progress Update, GC191022F01' 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) 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 2020 meeting of Council.

Carried Unanimously

150. Review of Confidential Item - CEO Annual Performance Review 2018/19, RSC191105F01

Moved Councillor - Joseph Masika Seconded Councillor - Matthew Shilling

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 2018/19, RSC191105F01 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 2020 meeting of Council.

Carried Unanimously

151. Review of Confidential Item - Outcome of Capella Investigations and Director for Southern Soccer, SGC191125F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Outcome of Capella Investigations and Director for Southern Soccer, SGC191125F01 and appendices 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

152. Review of Confidential Item - Future Land Strategy: City Services Surplus Land, SGC191125F02

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Future Land Strategy: City Services Surplus Land, SGC191125F02 and appendices 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 information relates to commercial information of a confidential nature, 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 2020 meeting of Council

Carried Unanimously

153. Review of Confidential Item - Cat Curfew By-Law Update, SGC191125F03

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC190827F01' together with all annexure 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 2020 meeting of Council.

Carried Unanimously

154. Review of Confidential Item - Section 270 Report Cove Football Club, SGC191125F04

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the un-redacted version of Appendix 1 of the report, 'Section 270 Report Cove Football Club, SGC191125F04' 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 maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. 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 2020 meeting of Council.

Carried Unanimously

155. Review of Confidential Item - Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019, GC191126F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019, GC191126F01 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 2020 meeting of Council.

Carried Unanimously

156. Review of Confidential Item - CEO Annual Performance Review 2018/19, GC191126F01

Moved **Councillor - Joseph Masika** **Seconded** **Councillor - Matthew Shilling**

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 2018/19, GC191126F01 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 2020 meeting of Council.

Carried Unanimously

16. Review of Confidential Item - Cove Investigation – Response to Findings of Fact, GC190924F02

Moved **Councillor – Ian Crossland** **Seconded** **Councillor – Jason Veliskou**

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, '*Cove Investigation – Response to Findings of Fact, GC190924F02'* be kept confidential and not available for public inspection on the basis that the report contains information relating to personal affairs (Section 90(3)(a)), 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. Delegate to the CEO the power to revoke the confidential order subject to the written approval of the Cove Football Club.

3. This confidential order be reviewed at the December 2020 meeting of Council unless revoked prior.

Carried Unanimously

CORPORATE REPORTS FOR INFORMATION/NOTING - Nil

WORKSHOP / PRESENTATION ITEMS - Nil

MOTIONS WITH NOTICE

Rescission Motion - Hamilton Park Reserve Community Court

Report Reference: GC191210M01

This item was not considered.

QUESTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE – Nil

QUESTIONS WITHOUT NOTICE - Nil

OTHER BUSINESS - Nil

MEETING CLOSURE

Council shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.

MEETING CLOSURE - Meeting Declared Closed at 9.40pm

CONFIRMED THIS 28 DAY OF JANUARY 2020

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CHAIRPERSON

APPENDIX 1

The Friends of Hallett Cove Conservation Park
10 Taylors Lane
BRIGHTON SA 5045

8 December 2019

Mr Glynn Ricketts
Water Resources Coordinator
The City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Dear Glynn,

Re: Proposed works – Lucretia Way Detention Basin, Hallett Cove

Following the meeting between the Friends of Hallett Cove Conservation Park, Cr Ian Crossland and you, on Thursday, 5 December 2019, we wish to clarify our recommendations for the detention basin upgrade.

Since the early 2000s, there has been increasing erosion of Waterfall Creek, inside the conservation park, caused by stormwater catchment from the Hallett Cove Shopping Centre and residential housing. The stream dried out in the summer of 2008. Reeds and vegetation died and many following attempts by volunteers at revegetation failed. This culminated in the park's concrete bridge being undermined in March 2011, necessitating its removal, along with subsequent remedial works being undertaken. The following year further erosion, the entire length of the stream, carried vast amounts of soil into the ocean, exposing the 270 million year old Permian clay deposits along the creek. Revegetation in this clay is not possible.

It is vital that the proposed detention basin upgrade remedy this increasing and ongoing problem. Therefore, we recommend a compromise between Options 1 and 2, but only with the addition of energy control measures to slow the release of stormwater. The dam wall and a modified spillway must be retained so that, in the event of a significant rain storm, there will be enough capacity to hold most of the run-off, and slowly release it over several days, causing minimal further erosion.

If a wetland is created with some deep and some shallow pools, vegetated with riparian plants, it will be aesthetically pleasing, even at the end of summer when almost dried out. The occasional drying of this dam is most desirable to help eradicate the two species of feral fish that keep the water muddy. Those fish have eradicated most native life from the water, and are likely to move upstream and to other streams if not controlled. Our continued weed and fox control and better management of wetland vegetation will further improve this haven for water birds.

Once established, riparian plants withstand being submerged and recover once the water lowers after a few days. This allows sediment and pollutants to fall. The continuous outpouring of polluted sediment is stealthily and immeasurably destroying the coastal marine environment. Waterfall Creek sediment outfall has already damaged seagrasses and algae on the adjacent coast.

The most important feature of any wetland is to discharge water into the underlying aquifer. It is very fortunate that there seems to have been a recent opening of the rock strata just upstream of the dam, into which water is disappearing. It is possible that once this aquifer is replenished, springs associated with the Tjilbruke Dreaming, which have failed over the past 25 years, may flow again. The captured water, when filtered through the aquifer, will continue to find its way out to sea from the Field River spring near the Worthing Mine, and hopefully again at Waterfall Creek.

Members of the Friends of Hallett Cove Conservation park wish to join a committee of local residents and Council representatives to design a satisfactory resolution to the current Lucretia Way detention basin problems.

Yours faithfully,

Brenda Westlake

for P. J. Rendle
Hon. Secretary

Cc: Cr Ian Crossland