

His Worship the Mayor
Councillors
CITY OF MARION



**NOTICE OF
GENERAL COUNCIL MEETING**

Notice is hereby given pursuant to the provisions under Section 83 of the Local Government Act 1999 that a General Council meeting will be held

Tuesday 9 December 2014

Commencing at 7.00 p.m.

In the Council Chamber

Council Administration Centre

245 Sturt Road, Sturt

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration building on Sturt Road, Sturt.

A handwritten signature in blue ink, appearing to read "Mark Searle", is written over the printed name and title.

**Mark Searle
CHIEF EXECUTIVE OFFICER**

4 December 2014

**CITY OF MARION
GENERAL COUNCIL AGENDA
FOR MEETING TO BE HELD ON
TUESDAY 9 DECEMBER 2014
COMMENCING AT 7.00PM**



1. OPEN MEETING

2. KAURNA ACKNOWLEDGEMENT

We would like to begin by acknowledging the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

3. 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.

4. ELECTED MEMBER'S DECLARATION OF INTEREST (if any)

5. CONFIRMATION OF MINUTES

Confirmation of the Minutes for the General Council meeting held on
25 November 2014..... 10

6. ADJOURNED ITEMS

Nil

7. DEPUTATIONS

Nil

8. PETITIONS

Nil

9. YOUTH ADVISORY COMMITTEE (YAC) UPDATE

Presented by Aimee and Ethan

10. MATTERS LYING ON THE TABLE

Nil

11. COMMITTEE RECOMMENDATIONS

Nil

12. WORKSHOP / PRESENTATION ITEMS

Clovelly Park Contamination Update

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14. CORPORATE REPORTS FOR INFORMATION/NOTING

Nil

MATTERS RAISED BY MEMBERS

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17. Questions without Notice

18. Motions without Notice

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20. MEETING CLOSURE

Council shall conclude on or before 10.00pm unless there is a specific motion adopted at the meeting to continue beyond that time.

**MINUTES OF THE GENERAL COUNCIL MEETING
HELD AT ADMINISTRATION CENTRE
245 STURT ROAD, STURT
ON TUESDAY 25 NOVEMBER 2014**



PRESENT

His Worship the Mayor Kris Hanna

Councillors

Coastal Ward

Ian Crossland
Tim Gard

Mullawirra Ward

Jason Velsikou

Southern Hills

Janet Byram
Nick Westwood

Warracowie Ward

Bruce Hull
Nathan Prior

Warriparinga Ward

Luke Hutchinson
Raelene Telfer

Woodlands Ward

Nick Kerry
Tim Pfeiffer

In Attendance

Mr Mark Searle
Ms Kathy Jarrett
Ms Heather Montgomerie
Mr Ray Barnwell
Ms Kate McKenzie
Ms Victoria Moritz

Chief Executive Officer
Director
Director
Manager Finance
Manager Governance
Governance Officer

COMMENCEMENT

The meeting commenced at 7.09pm.

KAURNA ACKNOWLEDGEMENT

We would like to begin by acknowledging 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.

MEMBERS DECLARATION OF INTEREST

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

Councillor Pfeiffer declared a conflict of interest in the item *Re-establishing Audit Committee and Appointment of Members (GC251114R06)* as he has a professional relationship with one of the committee members.

CONFIRMATION OF MINUTES

Moved Councillor Veliskou, Seconded Councillor Hutchinson that the minutes of the General Council meeting held on 28 October 2014 be taken as read and confirmed.

Carried Unanimously

ADJOURNED ITEMS

Nil

DEPUTATIONS

Nil

PETITIONS

Nil

MATTERS LYING ON THE TABLE

Nil

COMMITTEE RECOMMENDATIONS

Nil

WORKSHOP / PRESENTATION ITEM

Nil

CORPORATE REPORTS FOR DECISION

Results of 2014 Local Government Elections Report Reference: GC251114R01

Moved Councillor Hull, Seconded Councillor Crossland that Council:

1. Notes this report dated 25 November 2014 regarding the election results for the 2014 Local Government Elections.

Carried Unanimously

Appointment of Date, Time and Place of Council Meetings Report Reference: GC251114R02

Moved Councillor Hull, Seconded Councillor Byram that Council resolves to:

1. Adopt the following meeting cycle to facilitate open, responsive and accountable government as well as the timely conduct of Council's business:
 - i. General Council meeting to be held on Tuesday, 9th December 2014;
 - ii. General Council Meeting to be held on Tuesday, 27th January 2015;
 - iii. General Council Meeting to be held on Tuesday, 24th February 2015;
 - iv. General Council Meeting to be held on Tuesday, 24th March 2015;
 - v. General Council meetings to be held on the 2nd and 4th Tuesday of the month from April 2015 to November 2015;
 - vi. General Council meeting to be held Tuesday, 8th December 2015;
 - vii. General Council meetings will be held in the Chamber, at the City of Marion Administration Centre, 245 Sturt Road, Sturt commencing at 7.00pm.
2. Adopts the schedule of meeting dates for 2014/15 provided at Appendix A to the report, with the exceptions of 10 February and 10 March 2015.
3. Publish the Schedule of Meetings for 2014/15 in the Guardian Messenger the week commencing Monday 30th November 2014.

Carried Unanimously

7.15pm Councillor Hutchinson left the meeting

**Appointment of Deputy Mayor
Report Reference: GC251114R03**

Moved Councillor Hull, Seconded Councillor Crossland that Council:

1. Appoints Councillor Hutchinson as the Deputy Mayor from November 2014 until November 2015;

Carried Unanimously

7.16pm Councillor Hutchinson re-entered the meeting

**Establishment of a Chief Executive Review Committee
Reference No: GC25112014R04**

Moved Councillor Veliskou, Seconded Councillor Gard that Council:

1. Establishes the Chief Executive Review Committee for the term of the Council to conduct the annual Chief Executive Officer performance and remuneration reviews in accordance with the Terms of Reference as set out in Appendix 1 to this report and the Chief Executive Officer's Employment Agreement.
2. Appoints the Mayor and Deputy Mayor to the Chief Executive Review Committee for the term of the Council.
3. Appoints Councillor Raelene Telfer to the Chief Executive Review Committee for the 2014 / 2015 CEO Performance and Remuneration Review.
4. The Terms of Reference of the CEO Review Committee be reviewed, commencing in July 2015 to be concluded before November 2015.

Carried Unanimously

7.19pm Councillor Veliskou left the meeting

**Re-establishing the Strategic Directions Committee and Appointment of Members
Report Reference: GC251114R05**

Moved Councillor Pfeiffer, Seconded Councillor Byram that Council;

1. Establishes the City of Marion Strategic Directions Committee.
2. Adopts the Strategic Directions Committee Terms of Reference, as set out in Appendix 1 of this report;
3. Appoints Councillor Veliskou as the Presiding Member to the Strategic Directions Committee from November 2014 until November 2015;

4. Appoint the following Independent Members until November 2015:
 - 1) Professor Chris Daniels
 - 2) Darren Billsborough
 - 3) Marty Gauvin
5. Sets the sitting fees for the Independent Members of the Strategic Directions Committee at \$1,000 per meeting.
6. Requests that the Terms of Reference of the Strategic Directions Committee be reviewed, commencing in July 2015 to be concluded before November 2015.

Carried Unanimously

7.28pm Councillor Pfeiffer left the meeting

7.29pm Councillor Veliskou re-entered the meeting

Re-establishing the Audit Committee and Appointment of Members
Report Reference: GC251114R06

Moved Councillor Telfer, Seconded Councillor Hutchinson that Council;

1. Establishes the City of Marion Audit Committee subject to the review of the Audit Committee in the July quarter 2015 and in its continuance in this form.
2. Adopts the Audit Committee Policy and Terms of Reference, as set out in Appendix 2 of this report with the following amendments:
 - In Terms of Reference insert “at least” into point 5.5 to read: *Review the effectiveness of the Committee at least biannually as a formal process.*
3. Appoints Councillor Tim Pfeiffer to the Audit Committee from November 2014 until November 2015;
4. Confirms the appointment of Mr Greg Connor as independent member of the Audit Committee until 28 November 2016;
5. Confirms the appointment of Mr Lew Owens as independent member of the Audit Committee until 28 November 2015;
6. Thanks Ms Cathy Cooper for her term expiring on 28 November 2014.; and
7. That Council source an appointment of an external representative as per the Audit Committee Policy 3.11, 3.12, 3.13 (Appendix 1).
8. Sets the sitting fees for the Chairman of the Audit Committee at \$1,200 per meeting and the Independent Members of the Audit Committee at \$1,000 per meeting.

Carried

**Development Assessment Panel (DAP) – Appointment of Elected Members to the Development Assessment Panel from 1 December 2014.
Report Reference: GC251114R07**

7.32pm Councillor Kerry left the meeting
7.32pm Councillor Westwood left the meeting

Moved Councillor Hutchinson , Seconded Councillor Prior that:

1. Council appoints Councillor Appleby, Councillor Kerry and Councillor Westwood to the Development Assessment Panel for a term commencing on 1 December 2014 and concluding on 1 December 2015.
2. A notification be placed in the “Messenger” newspaper advising of the appointments of Elected Members to the Panel.

Carried Unanimously

7.35pm Councillor Kerry re-entered the meeting
7.35pm Councillor Westwood re-entered the meeting

**Elected Member Expense, Benefit, Support & Facilities Policies
Report Reference: GC251114R08**

Moved Councillor Veliskou, Seconded Councillor Crossland that Council:

1. Adopts the Elected Members Expense, Benefits, Support and Facilities Policy as provided in Appendix 1 with the following amendments:
 - Addition - All claims for reimbursement need to be submitted within 6 months of the costs being incurred.
 - Addition - Reimbursement of up to \$200 per annum for on-line subscriptions / applications (Section 5.4)
 - Deletion - dot point 1 in item 4.1 of Appendix 1
2. Review the Elected Members Expense, Benefit, Support & Facilities Policy by June 2015.

Carried

Persons to Act In The Absence Of Chief Executive Officer
Report Reference: GC251114R09

Moved Councillor Veliskou, Seconded Councillor Byram that Council:

1. Supports the approach of staff occupying the position of 'Director' to act in the absence of the Chief Executive Officer.

Councillor Hull sought leave of the meeting to record the following question and answer in the minutes:

The meeting agreed

Question:

Will any Director acting in the position of CEO attract higher duty payments for acting in the role of CEO?

Response:

In response the CEO advised that no higher duty payments are paid to Directors.

The motion was Carried Unanimously

7.52pm Councillor Crossland left the meeting

7.53pm Councillor Kerry left the meeting

SRWRA City of Marion Board Representatives
Report Reference: GC251114R10

Moved Councillor Hull, Seconded Councillor Veliskou that Council:

1. Appoints Councillor Crossland as Council's representative on the Board of the Southern Region Waste Authority.
2. Appoints Mr Vincent Mifsud as Council's representative on the Board of the Southern Region Waste Authority.
3. Appoints Councillor Kerry as Deputy for a term consistent with the provisions of the Southern Region Waste Authority Charter (currently 4 years).

Carried Unanimously

7.56pm Councillor Crossland re-entered the meeting

CORPORATE REPORTS FOR INFORMATION NOTING

Finance Report – October 2014 Report Reference: GC251114R11

7.58pm Councillor Kerry re-entered the meeting

Moved Councillor Telfer, Seconded Councillor Veliskou that Council:

1. Receive the report “Finance Report – October 2014”.

Carried Unanimously

Strategic Activities as at 25 November 2014 Report Reference: GC251114R12

Moved Councillor Pfeiffer, Seconded Councillor Hull that:

1. the Strategic Activities as at 25 November 2014 undertaken by the CEO and the Directors be noted.

Carried Unanimously

MATTERS RAISED BY MEMBERS

QUESTIONS WITH NOTICE

Street Trees Ref No: GC251114Q01

QUESTION:

- How many street trees were planted in the 2013-2014 financial year?
- How many watering trucks does council own?
- How many times does an individual tree get watered from planting, until council watering ceases?

COMMENTS:

Anthony Harris, Acting Unit Manager, Open Space.

1475 Street Trees were planted during the 2013/2014 financial year.

Council owns two Water Trucks.

Watering of street trees generally takes place between October and May each year. New plantings are generally watered at two week intervals over a period of two years, however this may vary according to seasonal conditions.

City Limits Magazine
Ref No: GC251114Q02**QUESTION:**

What is the itemised cost of printing AND the distribution of the City Limits magazine over the past 4 issues?

COMMENTS:**Craig Clarke, Unit Manager Communications**

City Limits is produced three times a year and is used to update the community on news from the City of Marion and views of Elected Members in a regular column. It also profiles community groups and businesses.

Each edition is delivered to 43,000 homes and businesses throughout the city and to other stakeholders. It is also available digitally on the City of Marion's website.

The following table outlines the production, printing and distribution costs for the past four editions:

Issue	Production	Printing	Distribution	Total
October 2014	\$14,500	\$16,860^	\$4,538	\$35,898
April 2014	\$14,500	\$16,970^	\$4,652	\$36,122
December 2013	\$14,500	\$19,116	\$7,038#	\$40,654
August 2013	\$14,500	\$19,083	\$4,632	\$38,215

^ Price of printing represents the cheaper cost of purchasing stock.

Price of distribution includes the cost of inserting the waste calendar into the magazine

The City Limits Magazine has been produced, printed and delivered in accordance with the current budget allocation.

SAJC Contributions
Ref No: GC251114Q03**QUESTION:**

What is the City of Marion's financial and in-kind contributions to the SAJC over the past 4 years, both in terms of sponsorship for the Marion Race Day and in relation to any other matter?

COMMENTS:**Ray Barnwell, Finance Manager**

The SAJC is the largest venue in Marion, enabling it to support training and events for the City of Marion. I am advised the only booking with the SAJC in 2015 is for the annual volunteer dinner in May. The following table outlines the payments over the past four years:

	Volunteer events	Marion Race Day sponsorship	Staff training	End of year function	Making Marion	Community women's lunch	Other	Total
2014	16,088	8000	19,547	0			1206	44,841
2013		8000	10,159	25,248			14,263	57,670
2012		14,000^	11,252	27,531	13,250		18,693	84,726
2011	10,882	5000	20,407	22,378		10,123	596	69,386
Total excluding GST	26,970	35,000	61,365	75,157	13,250	10,123	34,758	256,623

^Two payments were made in the same calendar year for separate Marion Race Day.

Marion Celebrates **Ref No: GC251114Q04**

QUESTION:

What is the budget for the Marion Celebrates event in 2015?

COMMENTS:

Dagmar Morello, Acting Manager Libraries and Cultural Development

The operating budget for Marion Celebrates in 2014/15 is \$45,000. Marion Celebrates is held once every second year. Planning and Implementation is well underway for the next event being held on Sunday, 29th March 2015.

Marion Learning Festival **Ref No: GC251114Q05**

QUESTION:

What was the budget for the Marion Learning Festival held in 2014?
And what is the staff time associated with each event in dollars?

COMMENTS:

Margi Whitfield, Manager Community Participation

The operating budget for the 2014 Marion Learning Festival was \$41,150 and the estimated cost of staff time is approximately \$6,500. The Marion Learning Festival is held annually.

The 2014 festival was held on 29th August 2014 to 1st September 2014. The actual costs were \$28,400. The balance of \$12,750 will be applied to the 2015 Festival, with planning commencing this financial year.

MOTIONS WITH NOTICE

Nil

QUESTIONS WITHOUT NOTICE

Various questions were asked and either answered during the meeting or taken on notice.

MOTIONS WITHOUT NOTICE

Induction Training Weekend
Ref No: GC251114M01

Moved Councillor Telfer Seconded Councillor Westwood that Elected Members thank City of Marion staff for their induction training weekend.

Carried Unanimously

CONFIDENTIAL ITEMS

Nil

CLOSURE - Meeting Declared Closed at 8.22pm.

CONFIRMED THIS 9 DECEMBER 2014

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CHAIRPERSON

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Alicia Clutterham, Team Leader Open Space & Recreation

Corporate Manager: Peter Patterson, Manager Open Space & Facilities

Director: Heather Montgomerie, Director

Subject: Play Spaces at Plympton and Edwardstown Ovals

Report Reference: GC091214R01

REPORT OBJECTIVES:

To outline the Plympton Oval and Edwardstown Oval play space options for the 2014/15 Capital Works program subsequent to Councils endorsement of the revised Asset Management Policy (GC120814R04), and to seek direction on the preferred option having regard to the Asset Management Policy, Long Term Financial Plan and Play Space Strategy (2009).

EXECUTIVE SUMMARY:

The City of Marion adopted a Play Space Strategy in 2009 (GC271009R05) with a \$7,000,000 budget over 15 years. The Play Space Strategy is a strategic document that directs and assists in the long term management of play spaces and the associated facilities. \$540,000 is available in the 2014/15 financial year for the Play Space Capital Works Program. The Long Term Financial Plan and Play Space Strategy provides \$100,000 at Edwardstown Oval and \$100,000 at Plympton Oval.

Over the past five (5) years, thirty eight (38) play spaces have been upgraded and six (6) have been removed without replacement in line with the provision of play spaces across the City identified within the strategy.

Within the current Play Space Strategy, a further fifty three (53) play spaces remain on the list to be upgraded and fifteen (15) to be removed without replacement over the next ten (10) years.

Council recently adopted a revised Asset Management Policy (GC120814R04), including the Strategic Asset Management Framework adopted by Council on 22 July 2014 (GC220714R01), which requires a decision of Council for any new or upgrade works, beyond 'like for like' renewal.

There are three (3) options provided for each site and they address 'like for like', upgrade within the Play Space Strategy budget (endorsed in 2009) and an upgrade option consistent with recent upgrades. The upgrade designs have responded to site opportunities and constraints, community feedback and, in the case of Edwardstown Oval, the play space upgrade is proposed to be relocated to the south western corner of the site providing greater accessibility and improved connectivity with other recreational assets in line with the masterplan for the site.

RECOMMENDATIONS (3)**DUE DATES****That Council:**

1. Endorse Option A, B or C for the Plympton Oval Play Space site.	9 December 14
2. Endorse Option A, B or C for the Edwardstown Memorial Oval Play Space site.	9 December 14
3. Note the corresponding whole of life costs (operating, maintenance and renewal costs) associated with the endorsed options.	9 December 14

BACKGROUND

Both the Edwardstown Oval and Plympton Oval sites are categorised as Regional Play Spaces within the Play Space Strategy. When the Play Space Strategy was adopted, a budget of between \$75,000 and \$150,000 was adopted for the nine (9) Regional Play Spaces.

A draft Open Space Asset Management Plan considered by the Audit Committee on 30 July 2013 (AC300712R5.2) identified projected funding gaps for both renewal and maintenance of open space assets across the City, and a subsequent workshop with the Strategic Directions Committee identified that changing service levels and community expectations were contributing to those funding gaps.

Recent play space upgrades have included associated facilities such as seating, shelters, barbecues, drinking fountains, irrigation, turf areas, accessibility pathways and tree and garden bed planting.

ANALYSIS:**Options**

Initial community consultation had occurred onsite at Plympton Oval in March 2014 and at Edwardstown Oval in June 2014. Proposed options are presented in Appendix C and D.

For Each Play Space:

Option A provides 'like for like' replacement of existing equipment in existing locations to current standards.

Option B designs have provided for some of the community feedback received through consultation and site opportunities and constraints.

Option C designs have responded to community feedback to a much greater extent and considered the Play Space Strategy aspirations.

A matrix (Appendix A) demonstrates the deliverables for each design option against the Play Space Strategy.

Communication

Consultation findings reports for the play spaces at Plympton Oval and Edwardstown Soldiers Memorial Oval have been provided on Councils website and in the Elected Members room.

Financial Implications

\$540,000 is available in the 2014/15 financial year for the Play Space Capital Works Program. The Long Term Financial Plan and Play Space Strategy provides for \$100,000 at Edwardstown Oval and \$100,000 at Plympton Oval. A funding offer has also been received from the Department of Planning, Transport and Infrastructure's Open Space fund (refer separate report) which may be applied to the Edwardstown Oval Playspace if an option in excess of \$100,000 is adopted by Council. Should Council adopt an option in excess of the \$100,000 allocated for Plympton Oval, funding could be applied from the 2014/15 Place Space Capital Works program, and the balance remaining will be directed to the next priority reserves in accordance with the Play Space Strategy.

Thirty eight (38) sites have been completed since 2009 utilising \$4,680,000 of Council funds, and \$1,350,000 grant funding over the past six (6) years at an average cost of \$158,500. These sites have been upgraded in line with the design considerations and hierarchy provision within the Play Space Strategy.

Whole of Life cost implications need to be considered in determining the level of investment at each site more specifically attributed to the play spaces. The whole of life costs are attached as (Appendix B).

The asset life of playground equipment within the draft Open Space Asset Management Plan is currently considered to be 20 years and the park furniture elements having varying life spans, which would need to be factored into the Long Term Financial Plan at appropriate times.

Policy Implications

A full review of the Play Space Strategy is due as per (GC271009R05):

5. *That the allocation of funding associated with the Play Space Strategy be reviewed via the Annual Business Plan and Budget process as well as a full review every five (5) years.*

It is timely that this occurs in light of the recently adopted Asset Management Policy, understanding of the gaps that exist for open space assets within the draft Open Space Asset Management Plan, new Australian Playground Standards in 2014 and emerging playground trends such as nature play, play for all ages and a focus on accessible play. This review will be undertaken throughout 2015.

Under the Strategic Asset Management Framework, these projects are considered service upgrades / new projects and require Council consideration and prioritisation to support informed decision making and manage impacts on Asset Management Plans and the Long Term Financial Plan.

Option A for Edwardstown Oval is a 'like for like' option in the existing south-east corner and is not in line with the playground positioning identified in the Masterplan for the site.

CONCLUSION:

A decision relating to Council's preference regarding these play space options is required giving consideration to the Play Space Strategy, budget availability including Whole of Life costs, community feedback, the recently adopted Asset Management Policy and the number of sites across the City remaining to be upgraded.

Appendix A

Design Considerations & Provision	Play Space Strategy – Regional / Precinct	Plympton Oval Play Space (Refer to Appendix B for drawings)			Edwardstown Oval Play Space (Refer to Appendix C for drawings)		
		Option A \$68K	Design Option B \$100K	Design Option C \$220K	Option A \$81K	Design Option B \$100K	Design Option C \$220K
Integrate unique geographic features: mounds, views, plantings and landscape forms	✓			✓			✓
Active Play: - Challenging & fun physical	✓	✓	✓	✓	✓	Minimal	✓
Individual Play: - Stimulating and cognitive play	✓			✓		✓	✓
Cognitive / Creative Play: - Free and creative play, nature play	✓			✓		✓	✓
Social Play: - Opportunities for social and interactive play	✓	✓	✓	✓	✓	✓	✓
Diversity of play for abilities and ages	✓			✓	Diversity for ages		✓
Links to open space	✓	✓	✓	✓	✓	✓	✓
Seating and picnic tables	✓	Minimal	Minimal	✓	Minimal	Minimal	✓
Special features: Art etc.	✓						✓
Accessible: Within the play space and also to and from	✓		Only to and from the play area	✓		✓	✓
Shade and Shelter (Provision of a shade structure over play equipment on a site specific evaluation)	✓		Tree planting only	✓ According to community feedback shade over play was preferable		Shelter structure, as identified in masterplan (only tree plantings for shade over play)	Shelter structure, as identified in masterplan (only tree plantings for shade over play)
Toilets	✓						
BBQ	✓						
Drink fountains	✓						✓

Appendix B

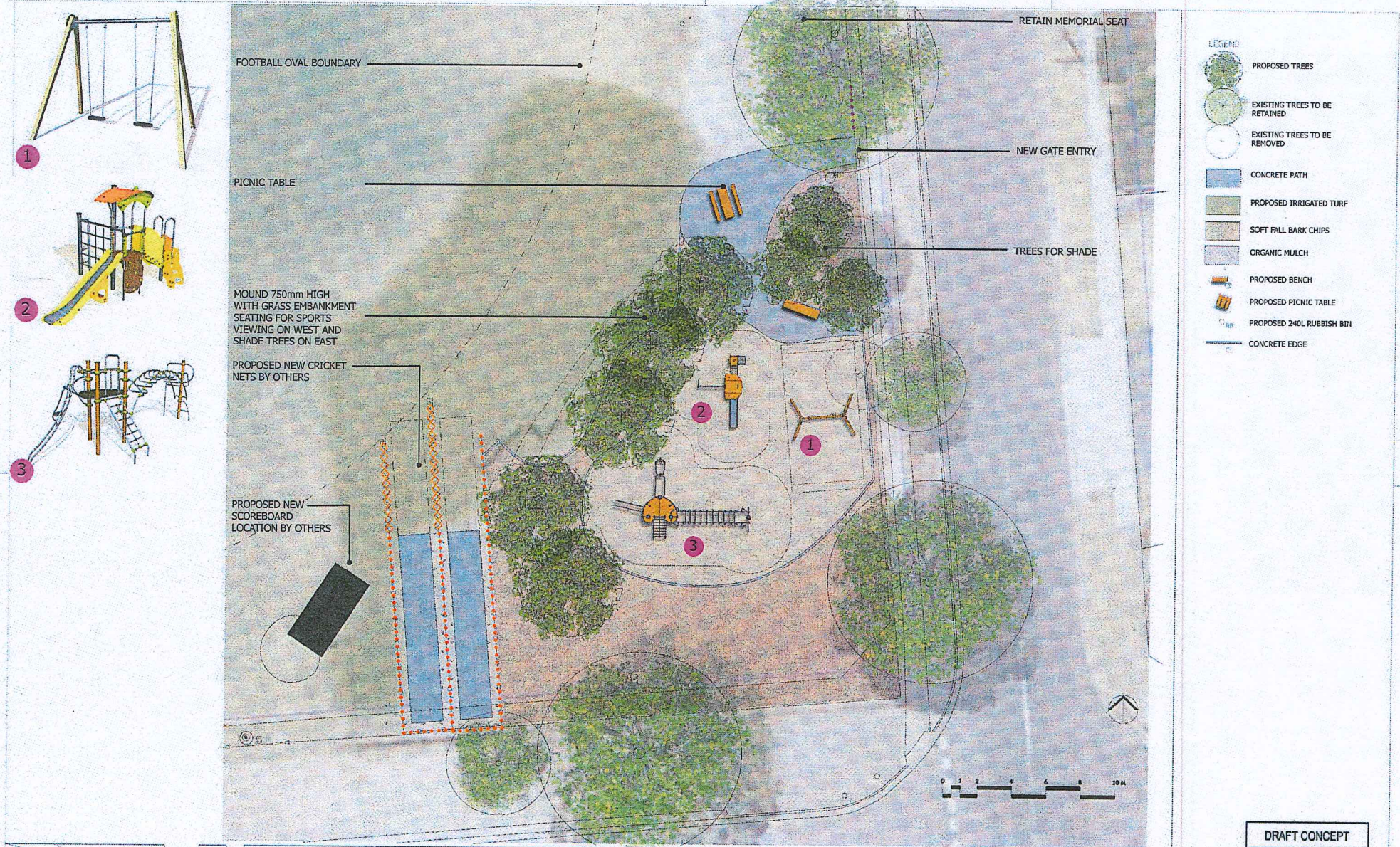
Plympton Oval Play Space

Whole of Life Cost Analysis												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maint Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depn/ Renewal pa	Existing Depn/ Renewal pa	Net Increase Depn/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Edwardstown Oval Option A	20	\$ 80,760	\$ -	\$ 3,230	\$ 3,230	\$ 2,740	\$ 490	\$ 4,038	\$ 2,094	\$ 1,944	\$ 226,120	\$ 129,440
Edwardstown Oval Option B	20	\$ 100,000	\$ -	\$ 4,000	\$ 4,000	\$ 2,740	\$ 1,260	\$ 5,000	\$ 2,094	\$ 2,906	\$ 280,000	\$ 183,320
Edwardstown Oval Option C	20	\$ 220,000	\$ -	\$ 8,800	\$ 8,800	\$ 2,740	\$ 6,060	\$ 11,000	\$ 2,094	\$ 8,906	\$ 616,000	\$ 519,320
Plympton Oval Option A	20	\$ 68,135	\$ -	\$ 2,725	\$ 2,725	\$ 2,740	-\$ 15	\$ 3,407	\$ 1,059	\$ 2,348	\$ 190,770	\$ 114,790
Plympton Oval Option B	20	\$ 100,000	\$ -	\$ 4,000	\$ 4,000	\$ 2,740	\$ 1,260	\$ 5,000	\$ 1,059	\$ 3,941	\$ 280,000	\$ 204,020
Plympton Oval Option C	20	\$ 220,000	\$ -	\$ 8,800	\$ 8,800	\$ 2,740	\$ 6,060	\$ 11,000	\$ 1,059	\$ 9,941	\$ 616,000	\$ 540,020

*Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.

Appendix C

Plympton Oval Play Space



JULY 2014

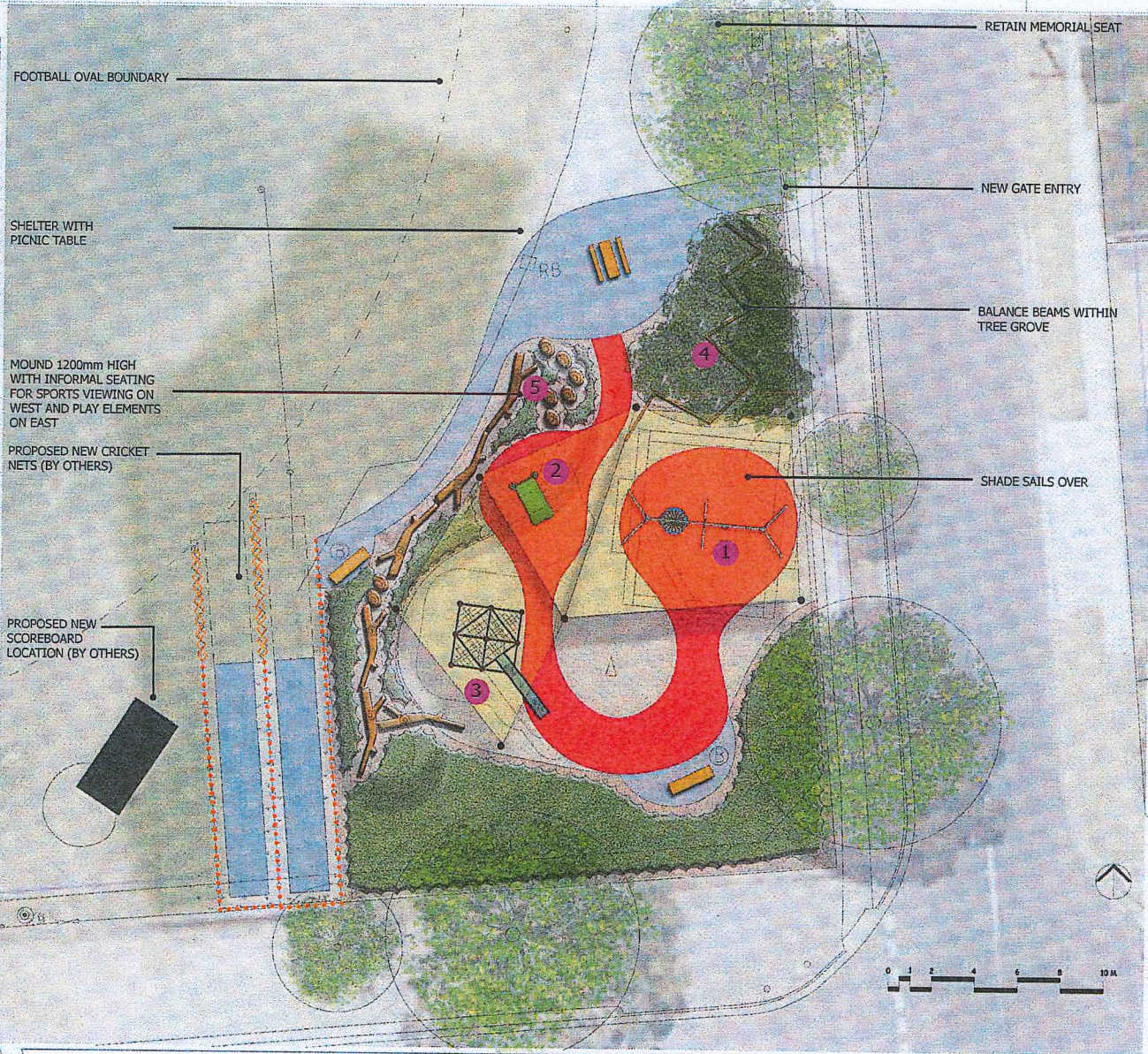
PLYMPTON OVAL RESERVE PLAY SPACE OPTION B

PREPARED BY OPEN SPACE & RECREATION PLANNING - CITY OF MARION

DRAFT CONCEPT

Design	Drawn	Checked	Authorised for Issue
BO	BO	BG	ORIGINAL SIGNED BY: BG
05/05/14	22/05/14		
Drawing Number / Sheet			Issue
PLO-SK06			





- LEGEND**
- PROPOSED TREES
 - EXISTING TREES TO BE RETAINED
 - EXISTING TREES TO BE REMOVED
 - PROPOSED GARDEN BED GROUNDCOVER AND GRASSES AND ORGANIC MULCH
 - CONCRETE PATH
 - PROPOSED IRRIGATED TURF
 - RUBBER SOFT FALL
 - SOFT FALL BARK CHIPS
 - ORGANIC MULCH
 - PROPOSED BENCH
 - PROPOSED PICNIC TABLE
 - PROPOSED 240L RUBBISH BIN
 - PROPOSED SHADE SAILS
 - WOOD BALANCE BEAM AND INFORMAL SEATS
 - PROPOSED TIMBER LOG
 - PROPOSED CUT TIMBER BALANCE BEAMS

PLYMPTON OVAL RESERVE PLAY SPACE OPTION C

PREPARED BY OPEN SPACE & RECREATION PLANNING - CITY OF MARION

JULY 2014

DRAFT CONCEPT

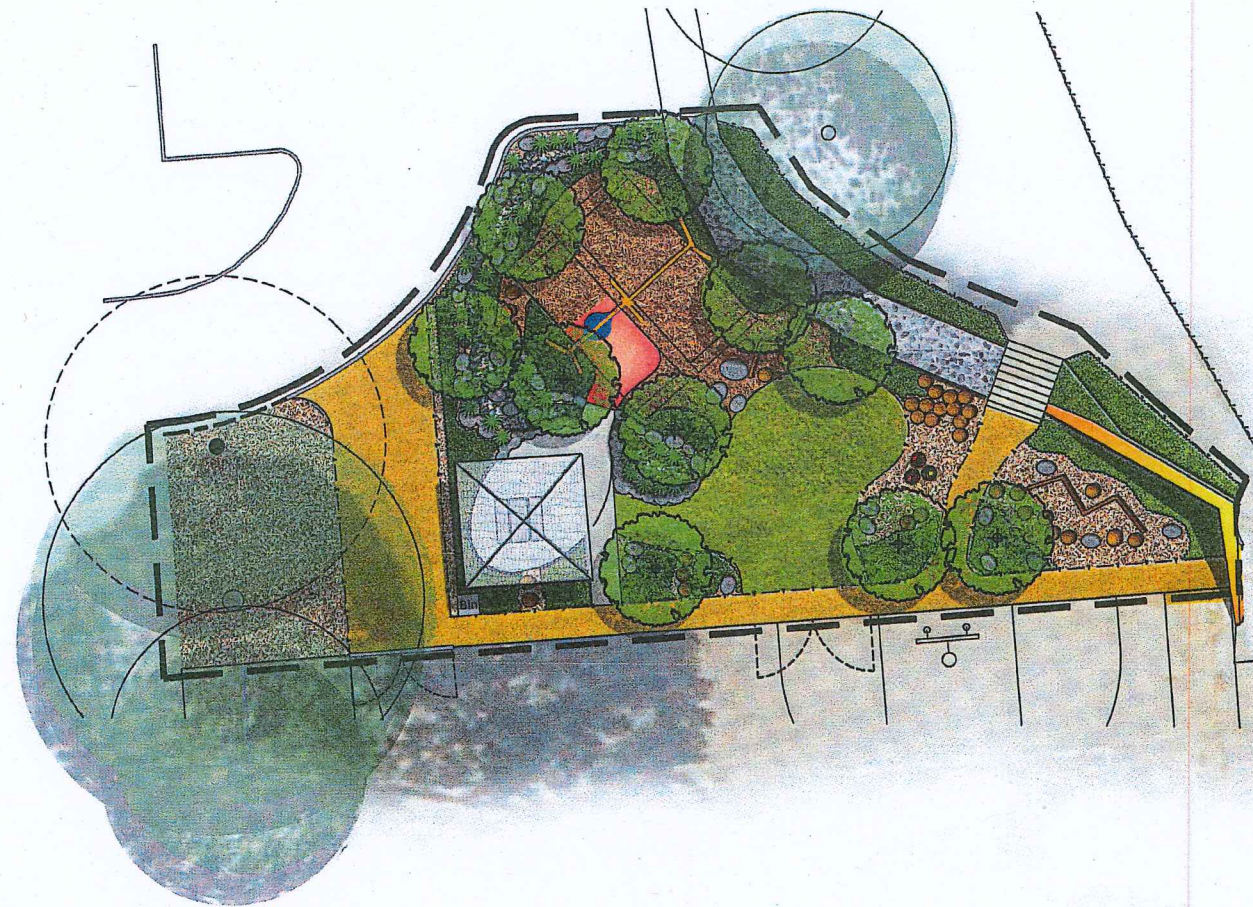
Design BG 06/05/14	Drawn BG 20/05/14	Checked BG	Authorised for Issue ORIGINAL SIGNED BY: BG

Drawing Number / Sheet PLO-SK05	Issue



Appendix D

Plympton Oval Play Space



- LEGEND**
- EXISTING TREE to be retained and protected
 - EXISTING TREE to be removed by council due to health and structure
 - PROPOSED EVERGREEN TREE
 - PROPOSED SHRUBS AND GROUND COVER PLANTING
 - SEMI-AQUATIC PLANTING
 - PROPOSED IRRIGATED TURF GRASS
 - 100mm Organic Mulch
 - 200mm Playground Mulch
 - 500mm Playground Sand
 - Existing Stone Pitching
 - Rubber Safety Colour Type B
 - Brown Finished Concrete
 - Concrete Treated Gravel
 - River Pebble mulch
 - Rounded Rock Boulders 100mm x 150mm x 600mm
 - Log Stepping Height Varies Max 600mm
 - Cut Timber Balance Beam
 - 1.1m PVC coated Chain Mesh Fence
 - PVC coated Chain Mesh Court Fence
 - Recycled Plastic Chips
 - 1.8m PVC coated Chain Mesh Fence
 - Existing Fences to be retained and protected
 - Pedestrian Gate
 - Maintenance Double Gate
 - 6 x 6m Shelter
 - Picnic Table and Bench
 - 120L bin
 - Sloped area for opinion of grade



Draft - For Information Only

EDWARDSTOWN SOLDIERS MEMORIAL RECREATION GROUND **PLAY SPACE North of Courts, OPTION B**

PREPARED BY OPEN SPACE & RECREATION PLANNING - CITY OF MARION

SEPTEMBER 2014

Design PS 3102/14	Drawn PS 3102/14	Checked BG	Authorised for Issue ORIGINAL SIGNED BY: BG
Drawing Number / Sheet PLO-SK01-Option A			Issue



EDWARDSTOWN SOLDIERS MEMORIAL RECREATION GROUND **PLAY SPACE , OPTION C** **PREPARED BY OPEN SPACE & RECREATION PLANNING - CITY OF MARION**

SEPTEMBER 2014

Design	Drawn	Checked	Authorised for issue
PS 3102/14	PS 3102/14	BG	BG
Drawing Number / Sheet	PLO-SK02-Option B		
	None		



**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Alicia Clutterham, Team Leader Open Space & Recreation

Corporate Manager: Peter Patterson, Manager Open Space and Facilities

Director: Heather Montgomerie, Director

Subject: Department of Planning Transport and Infrastructure Open Space Grant Funding

Report Reference: GC091214R02

REPORT OBJECTIVES:

To advise Council of the Department of Planning Transport and Infrastructure's offer of early recipient open space grant funding for the City of Marion through the State Government's Open Space fund and to seek Council direction in relation to entering into funding agreements for these funds.

EXECUTIVE SUMMARY:

The State government will partner with local councils over the next four years to improve public open spaces through investment for significant open space and public realm initiatives, playgrounds and reserve development. There is a total funding pool of \$16 million over the next four year period to be distributed state wide.

The Minister for Planning through the Department of Planning, Transport and Infrastructure has identified the City of Marion as early funding recipients for four projects arising from pledges made throughout the 2014 State election campaign. These projects are:

- \$300,000 for the Jervois Street Reserve Development
- \$250,000 for the Edwardstown Soldiers Memorial Reserve Development
- \$100,000 for the installation of a toilet facility at the Southbank Boulevard Reserve, Sheidow Park
- \$100,000 towards progressing a dog park in Trott Park

A funding agreement will need to be entered into for each project outlining key outcomes, funding agreements and timelines. DPTI have indicated their preference for Council to enter into funding agreements prior to the end of the 2014 calendar year and prior to the formal applications closing at the end of January 2015 in order to understand the remaining funding available for distribution to applicants through the formal funding round.

Should Council wish to accept this funding, a funding agreement is required for each identified project to establish key outcomes, funding conditions and timelines for progress reports. In addition Council will need to consider the potential funding gaps for each project which may need to be further worked through as each project progresses from consultation, planning and design through to construction.

Under the Strategic Asset Management Framework, these projects are considered service upgrades / new projects and require Council consideration and prioritisation to support informed decision making and manage impacts on Asset Management Plans and the Long Term Financial Plan.

RECOMMENDATIONS (4)

DUE DATES

That Council:

1. Enter into a funding agreement with the Department of Planning Transport and Infrastructure to utilise the \$300,000 grant funding for Stage 1 Implementation of Jervois Street reserve development.	31 December 2014
2. Enter into a funding agreement with the Department of Planning, Transport and Infrastructure to utilise the \$250,000 grant funding for the play space and open space improvements at the southern end of Edwardstown Soldiers Memorial Oval.	31 December 2014
3. a) Enter into a funding agreement with the Department of Planning Transport and Infrastructure to utilise the \$100,000 grant funding towards a toilet block at the Southbank Boulevard Reserve, Sheidow Park.	31 December 2014
b) Endorse the whole of life costs associated with the toilet block being incorporated into the Long Term Financial Plan.	9 December 2014
c) Utilise \$69,500 of funding from the Asset Sustainability Reserve to fund the gap in funding required to install a toilet block at Southbank Boulevard Reserve	9 December 2014
4. Enter into a funding agreement with the Department of Planning, Transport and Infrastructure to utilise the \$100,000 offered towards a Feasibility Study and associated works to progress a dog park in Trott Park.	31 December 2014

BACKGROUND

In October 2014, the City of Marion received advice (Appendix A) that the Minister for Planning had approved grants for the City of Marion totalling \$750,000 for four projects as described above. As these grants arise from election pledges, it is understood that no matching funding is required however Council will need to enter into funding agreements with the Department of Planning Transport and Infrastructure which include the establishment of key outcomes and timelines.

ANALYSIS:

Jervois Street Reserve Development, South Plympton - \$300,000

Council considered a report (GC261113R03) on the future opportunities for this open space. Following consultation throughout July and August 2014, draft concept options are currently being developed for Council consideration. Further community consultation on these options is expected in early 2015. A final fully costed concept plan is expected to be delivered in June 2015.

The \$300,000 would contribute to the reserve development following Councils consideration of its preferred concept and should the preferred concept require additional funding then this will need to be referred through to the strategic prioritisation process.

The Department of Planning, Transport and Infrastructure has been advised that the reserve development timing requires further Council consideration as well as consideration and endorsement of a final concept plan.

Consultation

Consultation is occurring with the development of the concept plan and will continue in early to mid-2015.

Funding Gap

The report (GC261113R03) outlined the reserve classification as 'Precinct' in line with Councils Open Space and Recreation Strategy and in line with the state government grant received to assist with the acquisition of this land. It is quite common for 'Precinct' Level reserves to be implemented in stages and across multiple financial years.

The funding gap for the capital development and whole of life costs for the reserve development is dependent on the final concept endorsed by Council. \$300,000 will not deliver a 'Precinct' level reserve alone however it can deliver a usable and functional open space with site preparation and establishment, a grassed area, pathways, limited landscaping and a play space.

Items not able to be delivered within \$300,000 that would normally be associated with a Precinct Level reserve would be barbecues, shelters, park furniture and picnic areas across the site, a toilet, car parking and a variety of play equipment for all ages and abilities.

It is expected that one of the concept plan options presented will incorporate 'Precinct' facilities in line with the Open Space and Recreation Strategy and State Government grant received for the acquisition of the land. The draft concept/s and staging options will be further considered by Council in 2015.

Conclusion

It is recommended that Council accept this grant money with a view to entering into a funding agreement that agrees to use these funds for implementation of Stage 1 Jervois Street Reserve only, with no initial funding impact for Council.

Any subsequent stages or funding required for the reserve development will need to be considered by Council through the Annual Business Plan and Budget process, Long Term Financial Plan and Strategic Prioritisation Process.

Edwardstown Soldiers Memorial Recreation Plan Development - \$250,000

Council adopted the Edwardstown Soldiers Memorial Oval Masterplan in November 2013 (GC261113R04).

Consultation has recently occurred regarding the upgrade of the playspace / courts and staff have currently developed some options for Council to consider in relation to the playspace.

There is \$250,000 grant funding available for open space works and these funds could be utilised for the playspace and include the southern open space area in line with the masterplan for the site. These works could occur as part of the playspace and courts upgrade planned for this financial year 2014/15 (refer to report 'Play Spaces at Plympton and Edwardstown Ovals' in this agenda GC091214R01).

Consultation

Consultation has occurred in respect to the masterplan for the Edwardstown Soldiers Memorial Oval throughout 2013 and more recently more specifically in relation to the playspace and courts in June 2014.

It is proposed that further open space improvements be made at southern end of the site meeting grant funding guidelines and implementing another part of the Masterplan thereby addressing a package of open space and recreation improvement works at the southern end of Edwardstown Soldiers Memorial Oval.

If it was determined that the funding be spent elsewhere on the site, further consultation may be required specific to these works.

Funding Gap

Any open space works associated with this funding would be designed to the funding available and can be utilised for the playspace and open space at this site.

Council currently has \$100,000 within the Long Term Financial Plan for the Play Space, \$77,000 for the courts and \$24,000 from the Office for Recreation and Sport grant funding for the courts.

Of the \$250,000 grant funding available Council could utilise some of this funding towards any gap associated with Councils preferred playspace option with the remaining funding being utilised for open space improvements at the southern end of the site therefore addressing further open space and recreation improvements outlined within the masterplan with minimal Council capital investment.

Whole of life costs for the playspace have been provided in the previous report GC091214R01)

Open space improvements at the southern end of the site include improving landscaping, accessibility and fencing which will provide an improved and inviting entrance to the oval along the southern boundary and the south eastern corner which will improve the entrances, connections, aesthetics, function and usability of the open space in line with the masterplan.

Whole of Life costs for this investment of \$130,000 for open space improvements which are predominantly landscape treatments are outlined in (Appendix B).

Conclusion

It is recommended that Council accept the \$250,000 grant funds with a view to entering into a funding agreement that agrees to using these funds for the playspace and open space at the southern end of the site. These works are able to commence in 2015 in line with consultation already commenced.

Any subsequent stages or funding required for the Edwardstown Oval Masterplan redevelopment will need to be considered by Council through the Annual Business Plan and Budget process, Long Term Financial Plan and Strategic Prioritisation Process.

Installation of a Toilet Facility at Southbank Boulevard Reserve, Sheidow Park - \$100,000

Multiple requests have been received for a toilet block at this reserve over many years. Southbank Boulevard Reserve has existing features and facilities such as basketball courts, shelters, bbq and lighting throughout the reserve.

In 2012, Council received a \$100,000 federal government grant for this reserve for lighting, a new pathway and some landscaping to improve its safety and aesthetics of the site.

Installation of an exeloo toilet is estimated at \$169,500 inclusive of the facility, skillion roof, sewer, power and water connections as well as the power upgrade required for the installation and operation of this facility.

Investigations into options for the provision of toilet facilities in the Council area have occurred with consideration given to whole of life costs and crime prevention through environmental design principles. The exeloo toilet facility has been one of Councils' preferred options due to a combination of lower whole of life costs and design features that improve the safety and usability of the facility.

Consultation

A number of residents have contacted Council in respect to this project following a public announcement of funding being made available to the City of Marion. The enquiries mainly relate to the location of the toilet block. Staff have verbally indicated in response to these resident enquiries that should the funding be available and Council proceed with this project into the future, there would be communication and consultation with nearby residents which would assist to find the most appropriate location for this facility on the reserve.

Funding Gap

Consideration will need to be given to the additional \$69,500 required. It is recommended that this be achieved using funds from the Asset Sustainability Reserve which – amongst other purposes – is to *'assist Council fund its long term asset management objectives'*.

Furthermore, Council will need to consider the increased annual costs associated with the installation of a toilet block at Southbank Reserve, to be incorporated into the Long Term Financial Plan.

Dog Park - Trott Park - \$100,000

Council has supported the provision of two dog parks through its Animal Management Plan 2012-2017 however more recently council has supported a feasibility study as a first stage to further consider the locations of and facilities for these parks.

This feasibility study however currently sits in the unfunded Council projects list requiring strategic prioritisation.

There is currently no allocated budget to undertake feasibility studies or create these dog parks and these are unfunded projects which need prioritisation in line with other unfunded priorities. The sites for the two dog parks have not been determined and there has not been community consultation regarding proposed sites for two dog parks.

The Department of Planning Transport and Infrastructure have indicated Council could utilise part of this funding for Stage 1, being the initial phase of the feasibility study enabling the commencement of the project which would include investigation of site options as well as the planning and consultation with the remaining funds to be utilised in part for the development of a dog park in Councils southern area.

Stage 2 would be the construction of the dog park following councils consideration of the capital funds required for the development of a dog park through its strategic prioritisation process.

Consultation

Consultation is yet to occur and will be required. It is expected that consultation for a project of this nature will be significant with many and varying stakeholders.

Funding Gap

The funding gap for the capital development and whole of life costs for a dog park in the Trott Park area is dependent on the feasibility (inclusive of location) and final concept considered by Council. It is expected that this will take some time to work through with the community and that Council will not be in a position to consider the information within the feasibility study including capital works and whole of life costs until 2015/16 for the 2016/17 annual business plan and budget strategic prioritisation process. Staff within DPTI have indicated that should Council accept the full \$100,000 and decide not to proceed with Stage 2 in having considered the feasibility study and possible funding gaps, Council is able to renegotiate the deed agreement and, through negotiation, redirect the funds to an alternative project.

In consulting with the community regarding this project, it would be preferable to understand what the project budget for capital works is. This is not possible without having determined a location and giving consideration to site specific circumstances and concept plans. Therefore, by accepting these funds, there is every likelihood that there will be a funding gap in delivering the onground component which will not be known until Stage 1 is complete.

One option for Council is to accept these funds for Stage 1 only and commence the feasibility study in line with Councils Animal Management Plan 2012-2017.

A feasibility study is estimated to cost up to \$49,500 which would include project management and staff costs, consultation and concept design. By accepting \$49,500 only, Council would be forfeiting a further \$50,500 available, however will be better positioned in twelve (12) to eighteen (18) months' time to understand the Stage 2 capital component.

Following the completion of Stage 1, the project may be referred to Council's strategic prioritisation process for consideration of Stage 2 and in understanding the capital costs at this time, an application for funding for the construction of this project could be made through the state governments open space fund. It is however likely, that at this time a fifty (50) percent Council contribution for onground works will be required as is normally the case for this funding.

An alternative – and recommended – option is for Council to accept the full \$100,000, implement Stage 1 and have \$50,500 to put towards Stage 2 or work through with DPTI any alternative proposal.

Legal / Legislative and Risk Management

Generally, an application for these funds would be made outlining, project timing, staging, costings, and timelines and require 50% matching funding. In this instance, no matching funding has been required and no application required.

Should Council resolve in the future and at the time of considering its annual budget and its strategic prioritisation process to not implement these projects, the deed agreement states that Council will need to repay the funding or through negotiation with DPTI, renegotiate the funding agreement and redirect the funds to an alternative project.

Financial Implications

Whole of Life costs would generally be presented within the report so that Council has full visibility of the whole of life costs of each project and the impacts on Asset Management Plans and the Long Term Financial Plan. In this instance and due to the timing of the funding in relation to the progress of projects, a full and accurate picture of whole of life costs is unable to be given in each instance however will be reported to Council for consideration as each project progresses from planning and design through to consideration for implementation / construction.

Resource (capacity) Impact

The timing of the delivery of these projects will need to be built into 2014/15 and 2015/16 works programs in order to deliver the projects (with the exception of the dog park feasibility study) within existing resources.

CONCLUSION:

The Department of Planning Transport and Infrastructure has offered early recipient open space grant funding for four (4) open space projects for the City of Marion through the State Government's Open Space fund.

Should Council wish to accept this funding, a funding agreement is required for each identified project in relation to the establishment of key outcomes, funding conditions and timelines for progress reports. In addition, where applicable, Council will need to consider the funding gaps, the future timing and the whole of life costs for each project which will need to be further worked through as each project progresses from consultation, planning and design through to construction.

The Hon John Rau MP



8876357

11 October 2014



**Government
of South Australia**

Deputy Premier
Attorney-General
Minister for Justice Reform
Minister for Planning
Minister for Housing and Urban
Development
Minister for Industrial Relations

Mayor Felicity-ann Lewis
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

45 Pirie Street
Adelaide SA 5000
GPO Box 464
Adelaide SA 5001
DX 336
Tel 08 8207 1723
Fax 08 8207 1736

Felicity-Ann

Dear Mayor Lewis

The State Government will partner with local councils to improve public open spaces through a \$16 million investment into playgrounds and local reserves over the next four years.

To initiate this investment program a number of local reserve projects have been identified as early recipients for funding. I am pleased to advise that I have approved the following grants totalling \$750,000 for projects within the City of Marion:

- \$300,000 for the Jervois Street Reserve development
- \$250,000 for the Edwardstown Soldiers Memorial Reserve redevelopment
- \$100,000 for the installation of a toilet facility at South Bank Boulevard Reserve
- \$100,000 towards progressing a dog park in the Trott Park

The Department of Planning, Transport and Infrastructure will work with council staff to arrange for the formalisation of the funding agreements which include the establishment of key outcomes, funding conditions and timelines for progress reports.

Please contact Mr Matthew Lang, Chief Open Space Planner, Department of Planning, Transport and Infrastructure on 8303 0728 if you wish to discuss this matter.

Yours sincerely

John Rau
Deputy Premier
Minister for Planning

SCANNED

Whole of Life Cost Analysis - Southbank Boulevard												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maint Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depn/ Renewal pa	Existing Depn/ Renewal pa	Net Increase Depn/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Southbank Boulevard Reserve Toilet Block (Toilet 125k, Service Connect \$27.5k, Power Upgrade \$17k)	30	\$ 169,500	\$ 1,580	\$ 5,900	\$ 7,480	\$ -	\$ 7,480	\$ 5,650	\$ -	\$ 5,650	\$ 563,400	\$ 563,400

*Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.

Whole of Life Cost Analysis - Edwardstown Oval Open Space Improvements												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maint Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depn/ Renewal pa	Existing Depn/ Renewal pa	Net Increase Depn/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Edwardstown Oval Open Space Improvements												
Landscaping	20	\$ 102,000	\$ -	\$ 3,900	\$ 3,900	\$ -	\$ 3,900	\$ -	\$ -	\$ -	\$ 180,000	\$ 180,000
Fencing	40	\$ 28,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 700	\$ -	\$ 700	\$ 56,000	\$ 56,000
		\$ 130,000	\$ -	\$ 3,900	\$ 3,900	\$ -	\$ 3,900	\$ 700	\$ -	\$ 700	\$ 236,000	\$ 236,000

*Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Sue Bowden – Property Leasing Officer

Corporate Manager: Peter Patterson – Manager, Open Space & Facilities

Director: Heather Montgomerie

Subject: Landlords Approval for Balcony and first floor toilets upgrade, Cove Sports and Community Club, Oval Road, Hallett Cove, Certificate of Title Volume 4006 Folio 463,

Report Reference: GC091214R03

REPORT OBJECTIVES:

The purpose of this report is to obtain Councils approval, as landlord, for the installation of a balcony and upgrade to the first floor toilets at Cove Sports and Community Club, Oval Road, Hallett Cove.

EXECUTIVE SUMMARY:

The Cove Sports and Community Club, is licensed to the Cove Sports and Community Club Inc. ("Club").

In accordance with the terms of the licence, the Club is seeking Council's approval, as landlord, to install a balcony on top of the newly constructed change rooms and upgrade the first floor toilet facilities. The proposed balcony is within the licensed area and will provide a spectator viewing area. (Refer to proposed location on the plan attached as Appendix 1). The total cost of the installation of the balcony and first floor toilet upgrade will be fully funded by the Cove Sports and Community Club Inc.

RECOMMENDATIONS (3)

DUE DATES

That Council:

1. Grant landlord's consent to the installation of a balcony at Cove Sports and Community Club, Oval Road, Hallett Cove, Certificate of Title Volume 4006 Folio 463, subject to full Development consent being granted for the balcony.	Dec 2014
2. Grant landlord's consent to the upgrade of the first floor toilets at Cove Sports and Community Club, Oval Road, Hallett Cove, Certificate of Title Volume 4006 Folio 463.	Dec 2014
3. Council delegate to the Team Leader Land and Property approval to authorise any works required to facilitate the balcony and toilet upgrade works.	Dec 2014
4. Council require the Cove Sports and Community Club Inc to be responsible for all costs associated with the works, future maintenance, improvements and fit out in accordance with the lease agreement.	Dec 2014

BACKGROUND

At the General Council Meeting on 8 October 2013 (GC081013R01) Council supported an application for grant funding for stage 1 works of the Facility Master Plan for the Cove Sports and Community Club. The stage 1 master plan works includes an upgrade to BMX and Soccer lighting, upgrade to power supply, new umpire rooms and new ground floor change rooms. The Club premises will also be upgraded to provide accessible facilities.

The funding for stage 1 works is made up of \$453,215 from a grant from the Office of Recreation and Sport, Council contribution of \$403,215 from the Community Facilities Partnership program and the Club contributed \$50,000.

The balcony project (stage 2 works) is an addition to the master plan stage 1 works. The proposed balcony will be installed on the first floor above the new change rooms and will comprise two exit doors to the balcony, a roof over the whole balcony area, two end walls with windows and a glass balustrade on the western side. The total area of the balcony will be 3.7metres x 11metres. (Refer to Appendix 2)

The installation of the balcony will allow spectators to view soccer matches and will result in improved function of the premises and ability to generate revenue through functions, food and beverage sales.

Council have tendered the works for supply and installation of the stage 2 works and will project manage the on ground works with the Club Committee. The balcony works will be carried out as additional works to be completed at the same time as stage 1 master plan works.

The first floor toilet upgrade (stage 3 works) includes new fittings, fixtures and tiling and will increase the number of facilities at the club. (Refer to plans attached as Appendix 3) Stage 3 works will be completed after the completion of stage 1 and 2 works.

The Club will be responsible for funding the balcony and first floor toilet upgrade and the on-going maintenance and repairs.

Landlord's Approval Process



Prior to any alteration to any Council property that is leased or licensed to a third party approval is required to be granted by Council as landlord. This approval is required for the following activities:

- Variation to terms and conditions of existing lease or licence.
- Addition or alteration to the built structure of the leased or licensed premises.
- Sub licensing of premises to a third party either outright or on a shared basis.

The requirement for this approval does not prevent a lessee / licensee from applying for or receiving a development approval for an activity on the premises. It does act, however, to prevent the lessee or licensee from physically undertaking any works approved under the Development Act.

ANALYSIS:

Consultation

Development Services

The Club have applied for Development Approval for the balcony (DA100/2014/1703).

The application was classed as a Category 3 and underwent public notification which finished on 22 October 2014. This incorporated a notice being placed in the Guardian Messenger and adjoining property owners and residents being notified directly of the proposal.

Council received one representation during the public consultation period, requesting sound controls during functions on the balcony. It is anticipated that the application will be heard at the DAP meeting on 10 December 2014. Once Planning consent has been received the application will then require Building Consent (2-4 weeks) to obtain full Development approval. It is therefore recommended that landlords' approval only be granted subject to full Development Consent being achieved.

Legal / Legislative and Risk Management

The licence ensures that the Cove Sports and Community Club remains insured in relation to Public Liability Insurance and to indemnify the City of Marion against all damages costs and expenses.

Financial Implications

The total cost of the stage 2 and stage 3 projects will be fully funded by the Cove Sports and Community Club Inc. All costs associated with the maintenance and repair of the balcony and toilets will be borne by the Cove Sports and Community Club Inc. in accordance with the licence agreement

Liquor licence

The Club is required to apply to the Office of Liquor and Gambling for an extension of their existing liquor licence if they wish to include the new balcony area for consumption of alcohol and must also obtain Council approval in accordance with the licence agreement over the premises.

CONCLUSION:

The installation of the balcony at the Cove Sports and Community Club will provide spectators with an area to view soccer matches and will result in improved function of the premises.

The upgrade to the first floor toilet facilities will improve the function of the facility.



GC091214R – Appendix 1
Proposed Balcony, Cove Sports and
Community Club

Scale 1:1,214
Map Width 297.1 m
Created by rates
Wednesday, 12 November 2014



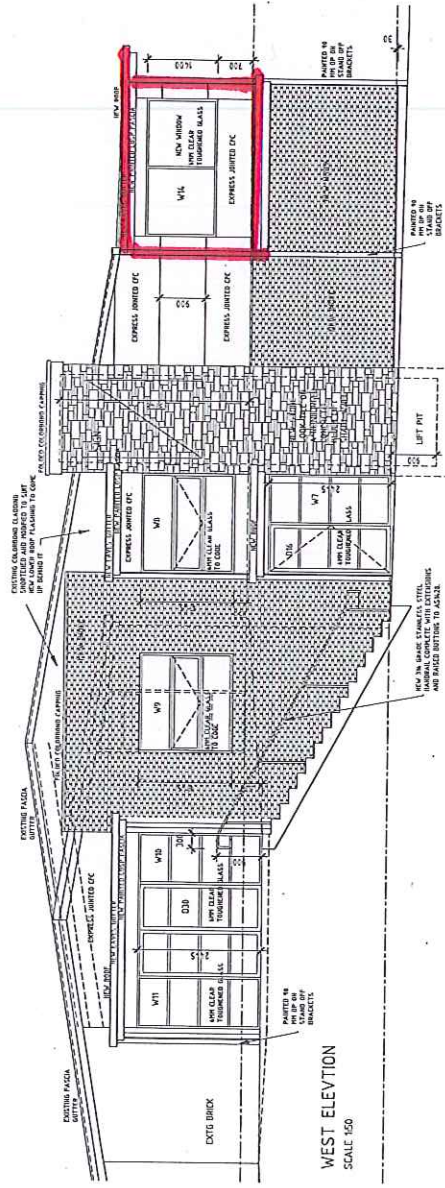
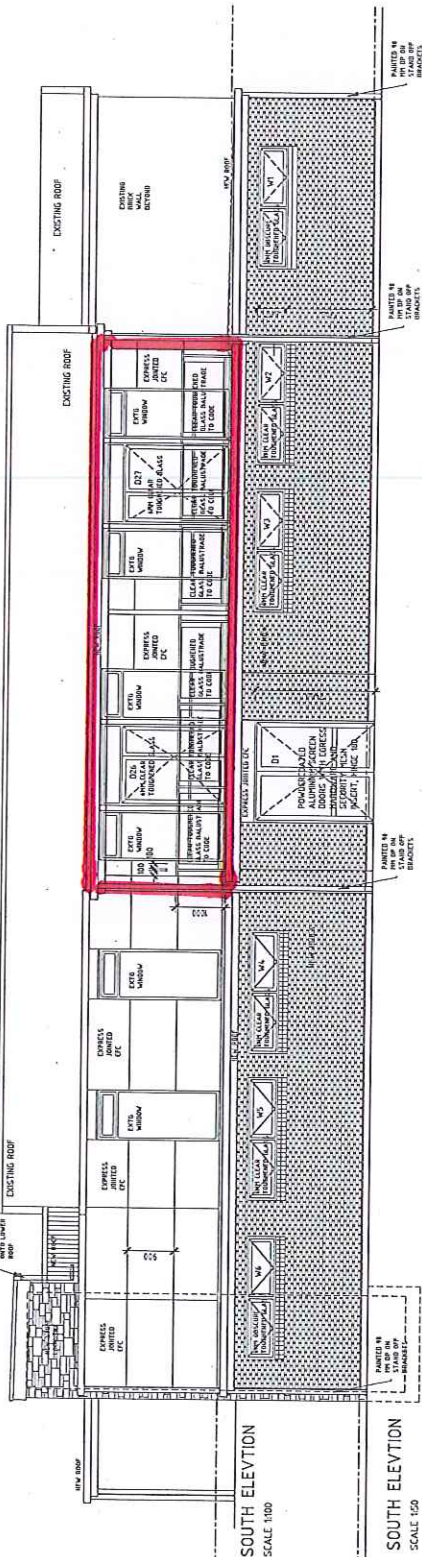
Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

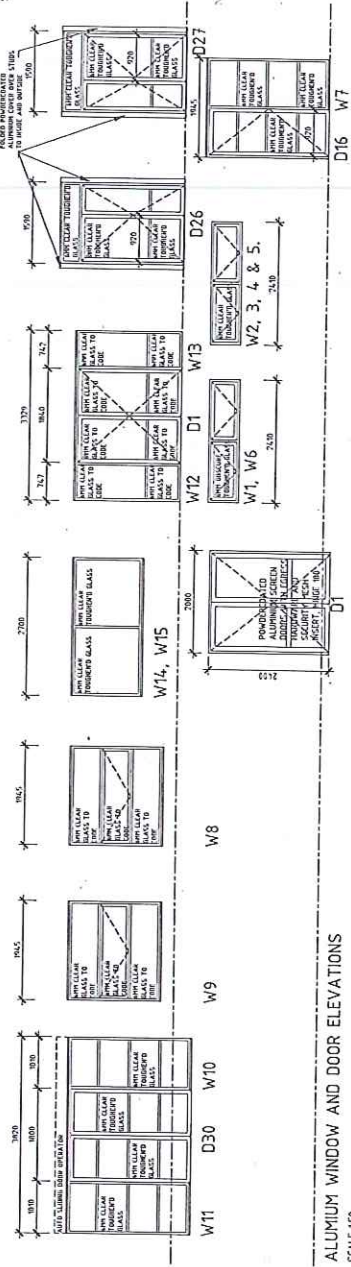
About this Document

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Marion. This information is provided for private use only.

PROVISIONAL CODE 22-00-000
NOT FOR CONSTRUCTION



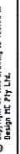
EAST ELEVATION
SCALE 1:50



design mc
PROJECT ALTERATIONS & ADDITIONS
OVAL ROAD, HALLETT COVE, SA
COVE SPORTS & COMMUNITY CLUB
SCALE: AS SHOWN 1:411 A05
DATE: 14/11/2015
PH: 0408 900 899
WWW.DESIGNMC.COM.AU
PO BOX 74
WOMBEY SA 5162

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REV NO. | DATE | BY
APPENDIX



**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Heather Michell, Land Asset Officer

Corporate Manager: Peter Patterson, Manger Open Space & Facilities

Director: Heather Montgomerie

Subject: Reconfiguration of a Reserve at Travers Street Sturt
(Certificates of Title Volume 3696 Folio 107 and Volume
5576 Folio 122)

Reference No: GC091214R04

REPORT OBJECTIVES:

The purpose of this report is to seek Council approval for the reconfiguration of the Travers Street Reserve, proposing the integration of additional housing options for Housing SA, the creation of a reserve with greater functionality and better passive surveillance and the creation of two residential allotments for disposal by Council.

EXECUTIVE SUMMARY:

Council owns a reserve at Myer Road, Sturt which is adjacent undeveloped land owned by Housing SA on Travers Street, Sturt. The Housing SA land provides a secondary access to the reserve.

Housing SA and Council have considered the options for the reconfiguration of the reserve and for the Housing SA land.

The Proposed Plan outlined in this report provides favourable outcomes for both Housing SA and Council.

The Proposed Plan involves the exchange of land in accordance with the DA 100/D152/100 (Appendix 3). Council, by a separate land division, could then create two residential allotments of approximately 340m² each as shown on the attached Proposed Plan (Appendix 4) for disposal. This disposal will eliminate a corner with limited usability and function and provide funding to cover the costs associated with the land exchange and disposal with any surplus funds retained in the Open Space Reserve Fund.

A public consultation process was undertaken on an earlier proposal in 2009 and again in March 2014 on the basis that the reserve area would be 5,426 m² as now proposed. Whilst consultation was undertaken on a configuration whereby Council would not have had the opportunity to create residential lots for disposal, the resulting reserve proposal is the same size and similar shape as that consulted on most recently.

RECOMMENDATIONS: (5)**DUE DATES****That Council:**

1. Authorises the transfer of portion of the land owned by Housing SA at Travers Street, Sturt to Council and the transfer of portion of the land owned by Council to Housing SA for no monetary consideration, to effect the creation of one superlot of approximately 2650m ² and one residential allotment fronting Travers Street of approximately 378m ² in the name of Housing SA and the balance of the land to be in the name of The Corporation of the City of Marion as a reserve	June 15
2. Authorises the creation of two residential allotments from the reserve land of approximately 340 m ² each, by a land division, for disposal	December 15
3. All costs associated with transfers of land, the relocation of the path and path lights and associated costs including the provision of a contamination report are to be funded from the Open Space Reserve Fund and the proceeds of the sales of the two residential allotments are to be subsequently contributed to the Open Space Reserve Fund	December 15
4. Delegates to the Team Leader Land and Property the authority to negotiate the sale of the two residential allotments subject to the deposit of the plan of division in the Lands Titles Office	December 15
5. Council pursuant to Section 37(b) of the Local Government Act 1999 authorises the Mayor and Chief Executive Officer to enter into and sign and seal all documentation necessary to facilitate the land divisions, land transfers and the Land Management Agreement	December 15

BACKGROUND

Council owns a reserve at Myer Road, Sturt (Certificate of Title Volume 3696 Folio 107) of 5,690 m² which is adjacent undeveloped land owned by Housing SA on Travers Street, Sturt (Certificate of Title Volume 5576 Folio 122) of 2,764 m². The reserve has only one street frontage with the Housing SA land providing a secondary access to the reserve. A plan showing the street frontages and ownership is attached (Appendix 1).

Housing SA have identified the need to utilise their landholding in Travers Street.

In February 2009, Housing SA and Council considered options for the configuration of the reserve and for the Housing SA land with regard to the development of the Housing SA land (GC240209R09). Council endorsed Option B (Appendix 2). This plan provided for public roads to be constructed by Council of approximately 260 m².

Reconfiguration of the Reserve

Housing SA has since re-visited the plan and has been working with Council for a more favourable outcome for both parties. A copy of the plan that has been jointly developed is attached (DA 100/D152/100 – Appendix 3).

The status of the approval of DA 100/D152/100 is “on hold” pending Council’s agreement in relation to the exchange of land.

This plan results in a loss of reserve land to Council of 264 m², however, the original plan approved by Council in 2009 provided for public roads to be constructed and maintained by Council of a similar area.

Council’s costs associated with the exchange of land and relocation of the path and associated lights are estimated at \$59,000 as itemised in the Comparison Schedule (Appendix 6).

The advantages to Council are:

- Increased passive surveillance over the reserve
- The reserve will have two street frontages on Myer Road and Travers Street and offer improved accessibility to the reserve from both the north and south
- Allows for the creation of two residential allotments on the Council land that can be disposed of and used to fund the associated costs for the exchange of land and associated capital works
- The registration of a Land Management Agreement over the superlot to ensure that:
 - o All dwellings on the superlot will face the reserve
 - o There will be a low landscape strip on the superlot along the reserve boundary
 - o The fence between the superlot and the reserve will be constructed of a permeable material (ie: is not solid)
- A useable and functional parcel of open space

The disadvantages to Council are:

- The loss of 264m² of land (however this compares favourably to a net loss of 260m² of reserve land agreed to by Council in 2009).
- The existing path from Myer Road to Travers Street and the path lights partly fall within the superlot and will need to be relocated at an estimated cost of \$24,050 in addition to the land transfer costs of \$35,000.

The advantages to Housing SA are:

- The creation of a superlot with an outlook over the reserve and one residential allotment fronting Travers Street
- The gain of 264m² of land

The disadvantage to Housing SA is:

- The superlot is to be subject to a Land Management Agreement to the City of Marion (this can also be a benefit)

For clarity, the attached DA 100/D152/13 (Appendix 3) shows the area of land to be transferred to Council and the area of land to be transferred to Housing SA.

Financial Implications and Funding Options

As the transfers of land between Housing SA and Council are for no monetary consideration the funding requirements will be limited to the legal and other costs associated with the transfer, land division costs to create two allotments for sale and the cost of required capital works to enable the proposed plan to take effect.

The Comparison Schedule (Appendix 6) sets out the currently estimated costs of \$115,563 for the exchange of land and creation and sale of two residential allotments..

There is currently no funding set aside in the 2014/15 budget for the proposed land transfer so Council may consider the following funding options:

Funding Option 1:

The costs associated with the exchange of land, land division and relocation of the path and path lights (\$101,000) can initially be funded through the Open Space Reserve Fund, provided that the two newly created residential allotments are sold and the net proceeds associated with the disposal of these minor land holdings are subsequently paid into the Open Space Reserve Fund.

Monies held in the Open Space Reserve Fund can be applied to the acquisition or development of Open Space Facilities as approved by Council. This approach is recommended as it provides a good community outcome consistent with recent consultations, whilst returning funds to the Open Space Reserve Fund for future acquisition or development of open space.

Funding Option 2:

Should Council proceed with the exchange of land but not create the two residential allotments for sale, funding of \$59,000 will be required which may be sourced through the Asset Sustainability Reserve. These costs will be required to cover Development Application costs and the costs of capital works for the relocation of the path and the path lights. This approach is not recommended as the primary purpose of the Asset Sustainability Reserve is to respond to major infrastructure failure or infrastructure gaps, and drawing from it for this purpose would result in a net cost to the community for limited gain in terms of useable reserve space.

Land Transfer Valuations

The land use for both land holdings is "Developed Reserve".

The Valuer General's values of the land and the values of the land to be transferred to effect the exchange of land are detailed in Appendix 7.

The Valuer General's office has indicated that the difference to the value per m² may be attributed to factors such as the shape, aspect and frontage of the land. Given the street frontage for the Housing SA land, this may explain the higher value.

Creation of two residential allotments for sale by Land Division

After completion of the exchange of land in accordance with the DA 100/D152/100, Council by a separate land division, could create two residential allotments of approximately 340m² each as shown on the attached Proposed Plan (Appendix 4). Development Services have indicated that although this proposal results in shortfalls in site area and street frontage for each allotment (requirement in Northern Policy Area 13 is site area of 375 m² and 12 metre frontage). The allotments are considered to be of a suitable size and dimension to accommodate a future land use of detached dwellings. It is considered that it can be suitably

demonstrated that the allotments, although undersized, are suitable for their future intended purpose.

An application of this nature would require determination by the Development Assessment Panel depending on the minimum site area and dimensions.

The costs associated with land division creating two residential allotments are estimated at \$42,000 as itemised in the Comparison Schedule (Appendix 6).

Potential for the Sale of the Residential Allotments

The market in Sturt has been quite steady since November 2013.

Recent sales of vacant land in the area indicate that the land value is in the order of \$512 m² which may yield around \$174,000 for a 340m² allotment.

The sale proceeds could be used to fund the exchange of land, the plan of division that creates the two residential allotments and the relocation of the path and path lights and provide a surplus of funds to be paid into the Open Space Reserve Fund.

Timeframes

It is anticipated that the exchange of land would be completed this financial year, subject to Council approval and funding. The land division process for the two residential allotments could take up to 12 months.

Community Land Classification

The Community Land Classification was revoked for the whole of the Council reserve (C/T 3696/107) on 13 October 2009 (GC131009R05).

Following completion of the transfers of land, the newly created reserve will be included in Community Land Management Plan 10: General Reserves.

Dedication, Reservation or Trust to which the Reserve Land is Subject

The land is not subject to a dedication, reservation or trust. Council owns the land in fee simple.

The original reserve was vested in Council in 1971 as part of the original sub-division of the area, undertaken by private developers. No Government financial assistance was provided to acquire the land.

Housing SA's Alternative Plan

As an alternative approach, Housing SA has lodged a Development Application creating six residential allotments on their own land, fronting onto Travers Street (DA 100/D140/14) (Appendix 5).

The advantages to Housing SA are:

- There is no exchange of land and the associated costs (stamp duty and Lands Titles Office transfer fees)
- They can proceed with the land division immediately and enter into contracts of sale – a DA has already been lodged but is currently on hold

The disadvantages to Council are:

- Reduced passive surveillance over the reserve
- Results in only one very small street frontage at the end of Myer Road
- The rear of the six allotments backing onto the reserve are very vulnerable with many CPTED issues identified
- Creates a landlocked reserve which is a poor social, planning and safety outcome
- Social/cultural risk associated with the very small street frontage (vs two street frontages) and dark corners backing onto residential allotments resulting in community safety issues
- Reputation risk associated with the public perception of the loss of opportunity to create a better/safer space
- Potential community request/expectation to negotiate land acquisition from Housing SA to create an access lane from Travers Street (which, itself, would be sub-optimal in terms of safety)

ANALYSIS:

Consultation

A public consultation process was undertaken on an earlier proposal in 2009 and again in March 2014 on the basis that the reserve area would be 5,426 m² as now proposed. In March 2014, articles were uploaded to the City of Marion and the Making Marion websites and a mail out distributed. Whilst the consultation was on a configuration whereby Council would not have had the opportunity to create residential lots for disposal, the resulting reserve proposal is the same size and similar shape as that consulted on most recently.

Land and Property received one telephone enquiry in relation to parking for residents of the dwellings on the superlot and their visitors as a result of the mail out. There was no feedback from the websites.

Communication

The local community will be advised upon authorisation to proceed with the reconfiguration of the reserve and the creation and sale of two residential allotments for disposal.

Legal/Legislative and Risk Management

There are a number of concerns relating to community accessibility, safety and risk management of this open space should Housing SA proceed with their alternative proposal of creating six residential allotments along Travers Street (Appendix 5).

Financial Implications

There will be no net proceeds from the exchange of land in the first instance.

The exchange of land, land division and relocation of the path and path lights can initially be funded through the Open Space Reserve Funds, and it is recommended that the residential allotments are sold and the net proceeds associated with the disposal of the minor land holdings are paid into the Open Space Reserve Fund.

Resources (Capacity) Impact

Existing Land and Property resources will be utilised to effect the proposed transfers and sale.

Policy Implications

Open Space & Recreation Strategy

Myers Road/Travers Street Reserve, Sturt, is classified as a local level reserve.

Playspace Strategy

In relation to upgrading / improvement of facilities, the Myers Street / Travers Street Reserve was within the Playspace Strategy for removal. The playspace removal and reserve works that occurred in 2013 included the removal of playspace equipment and the provision of plantings, a picnic table, bench, and path connection only.

No further works are planned for or budgeted within the reserve in line with the Playspace Strategy. The reserve is a local level reserve within the Open Space & Recreation Strategy and would therefore provide amenity at a local level only.

There are two 'local level' reserves both located less than 300 metres away. The Playspace at Brolga Reserve was upgraded in 2010/11 and Hawkesbury Avenue Reserve is on the Playspace Upgrade Program, subject to Council approval.

Social / Cultural Impact

The recommended approach would have limited impacts to open space provision given it is a local park providing passive recreation amenity and permeability for access and circulation.

Environmental (Green) Implications

There is one regulated tree on the site which will be contained on the eastern most proposed residential allotment fronting onto Travers Street.

CONCLUSION:

The proposed and recommended reconfiguration of the reserve will ensure that the reserve has two street frontages and passive surveillance will be increased. The creation of the two residential allotments for disposal will resolve the issues around the corner with limited usability and function.

Although Council's net land holding decreases by 264 m², it's net value of land increases by \$137,479. This also provides an opportunity to create two saleable allotments where the reserve can be maintained with better surveillance and CPTED principles.

Appendix 1 – Street Frontages and Ownership

Appendix 2 – Option 2 GC 240909R09

Appendix 3 – DA 100/D152/100

Appendix 4 – Proposed Plan Creating Two Residential Allotments

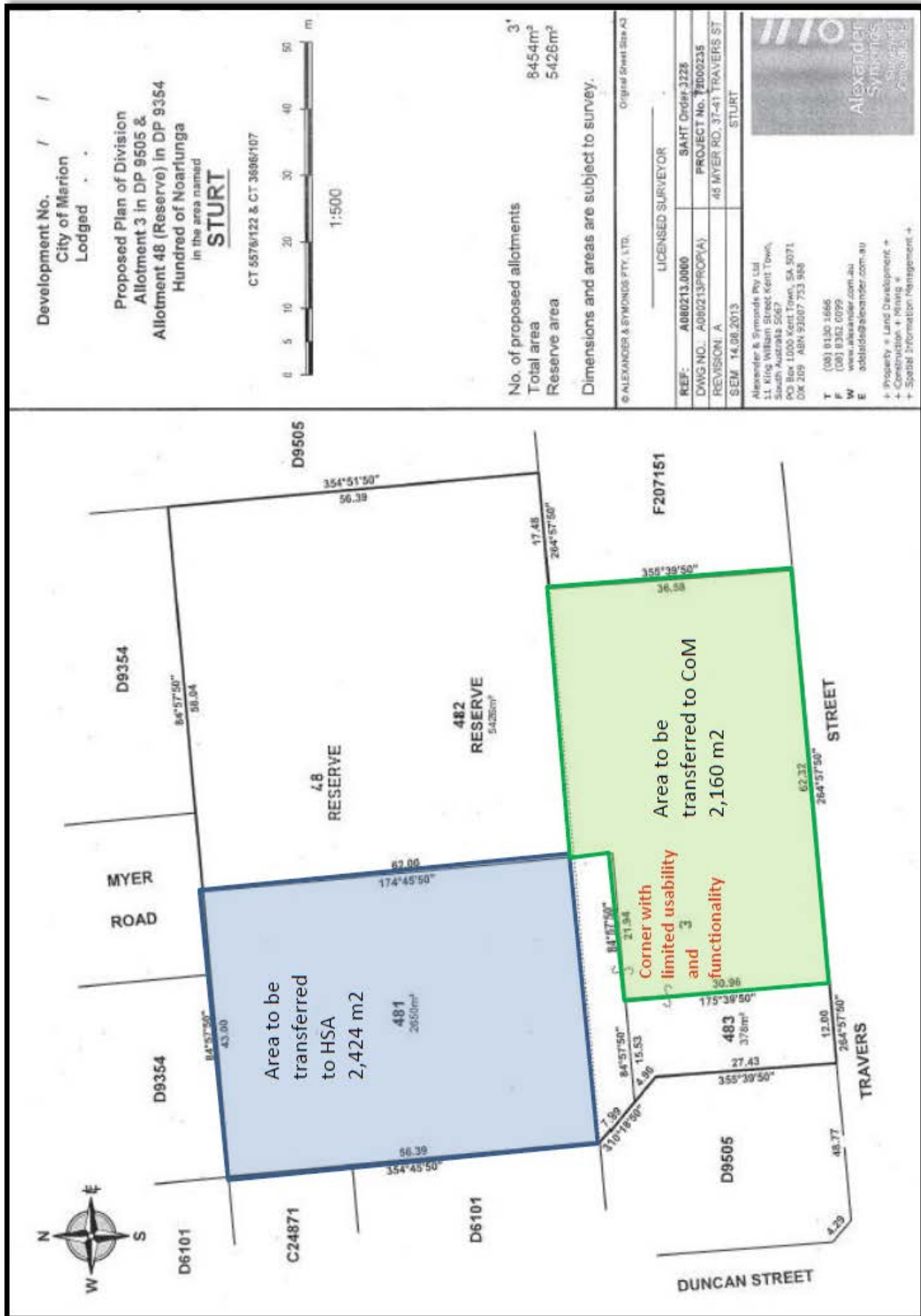
Appendix 5 – Housing SA's Alternative Plan DA 100/D140/14

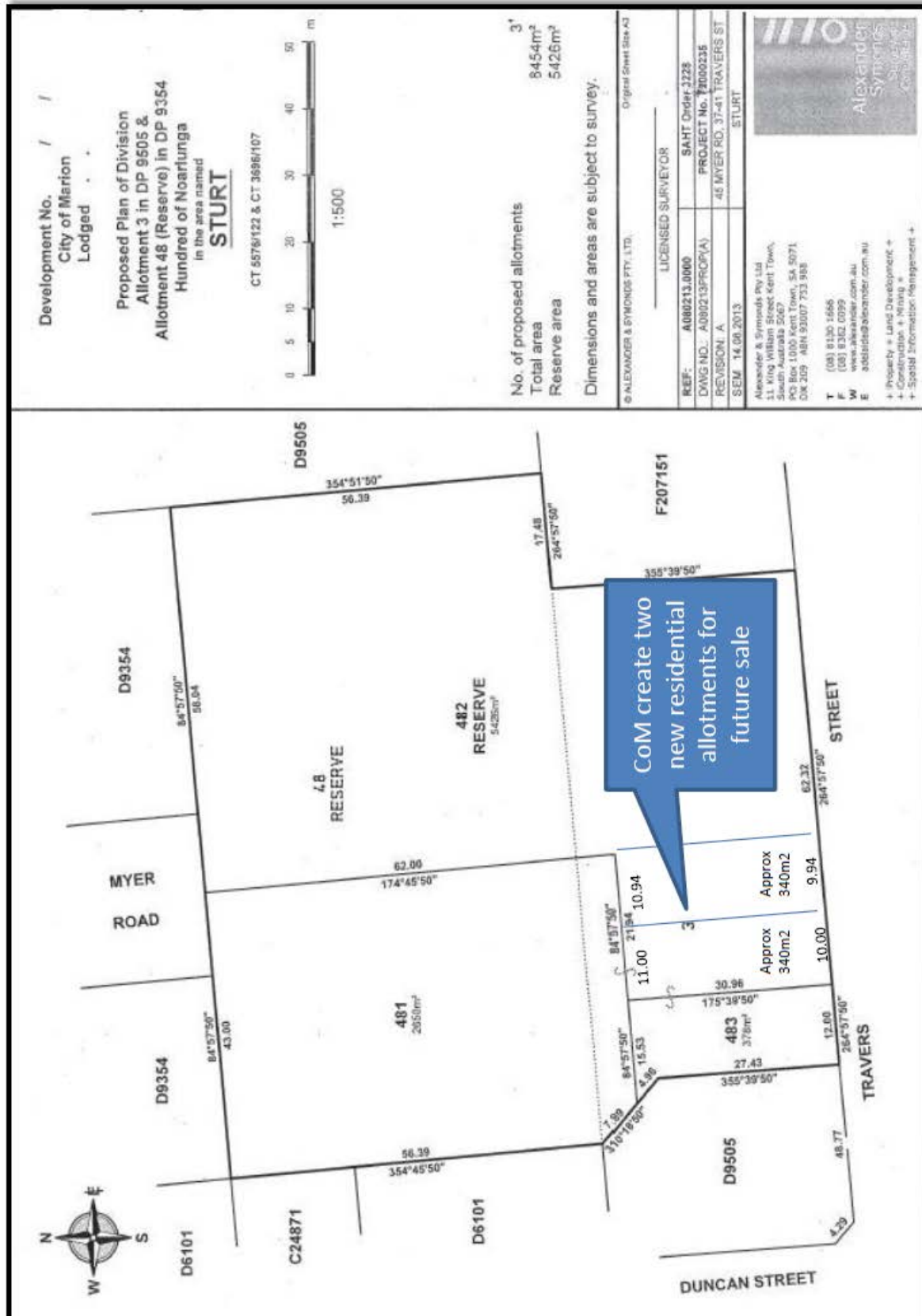
Appendix 6 – Comparison Schedule

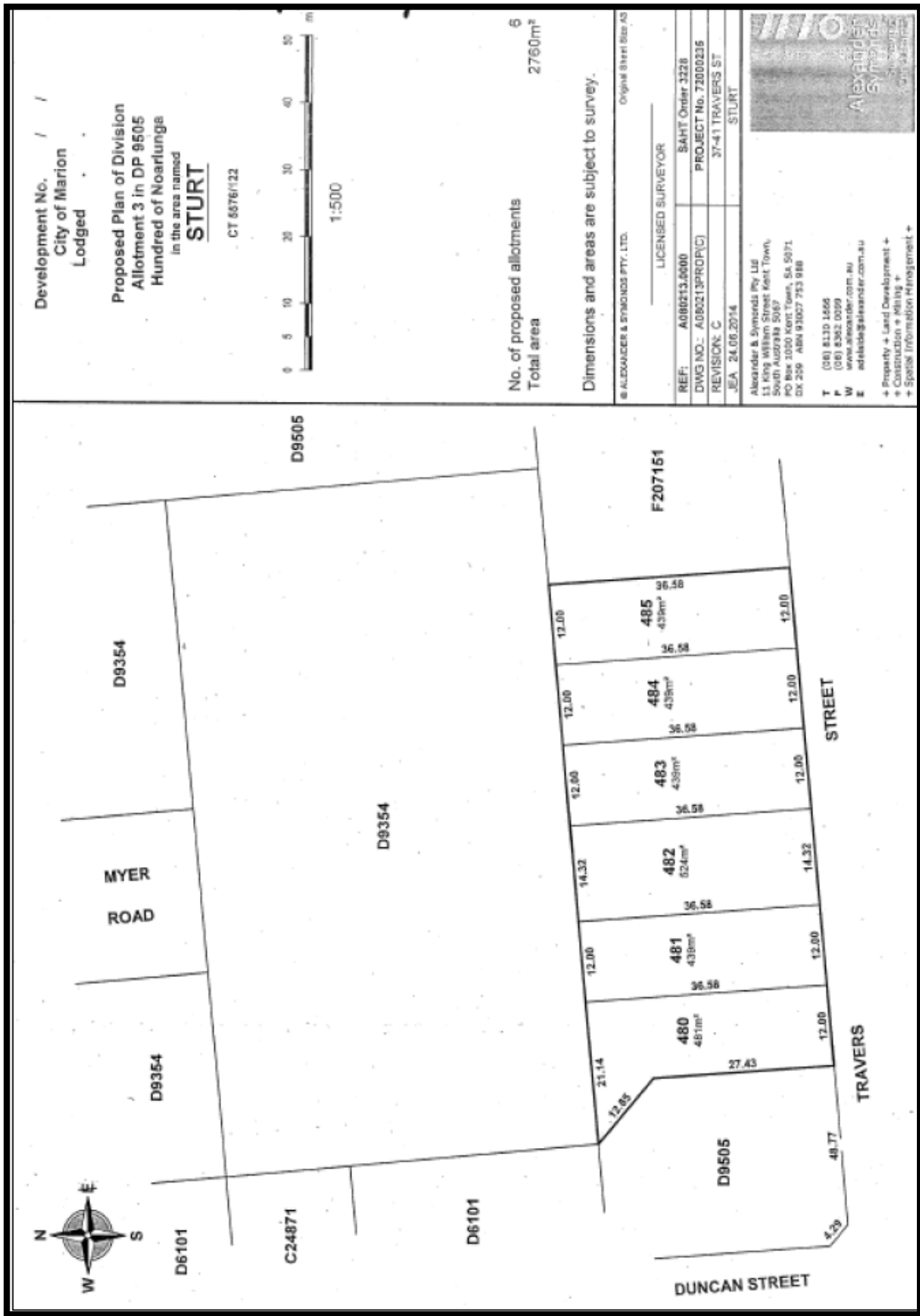
Appendix 7 – Land Values











Page 61
Appendix 6
Comparison Schedule

	Estimated Costs to Council		Funding Options	Actions Required	Area of land	LMA	Infrastructure requirements	Benefits / Downfalls
Housing SA Proposal - 2650m ² superlot and 378m ² allotment	Stamp Duty	\$16,863	From the sale of portion of the land – refer below	Council report - Costs - Funding options - Exclude from CL classification for the purpose of selling the corner with limited usability and function	Gain of 264m ²	Over superlot to provide for: - Permeable Fencing - Landscape strip - Dwellings to face the reserve		Creates a corner with limited usability and function The corner with limited usability and function could be divided by Council into 1 or 2 allotments for sale The path and lights are to be relocated
	LTO fees	\$2,976						
	Geotech	\$10,000						
	Legal fees LMA – first cut (already paid)	\$1,350						
	Legal fees LMA – final document	\$1,250						
	Legal fees re settlement, Form 1 and searches	\$2,500						
	PLUS the estimated cost of relocation of the path and lights	\$24,050						
	TOTAL	\$58,989						
Housing SA Proposal as above and Council then creates two allotments on Travers Street for future sale	Surveyor	\$3,900	From the sale of portion of the land	The land is to be excluded from the Community Land Classification in the report mentioned above Council Report for the land division and disposal	Loss of 264m ² Previous plan approved by council included the construction of roads of approx. 260m ²	Provides passive surveillance over reserve	The path from Myer Road to Travers Street and two reserve lights will need to be relocated at Council's cost Path relocation 93m x \$125 per metre Add \$800 each end for ramps = \$13,300	The corner with limited usability and function could be divided by Council into 1 or 2 allotments for sale
	LTO fees – plan	\$982						
	LTO fees – documentation	\$670						
	Legal – plan documentation	\$1,000						
	Open Space contribution (\$6,488 per additional allotment)	\$12,976						
	SA Water – water connection (\$3,611 per connection)	\$7,222						
	SA Water – sewer connection (\$6,632 per connection)	\$13,264						
	Fencing between new allotment and reserve – ½ cost based on 33m @ \$90 m	\$2,000						
	TOTAL FOR 2 ALLOTMENTS	\$42,014						
Sale of allotments created by separate Land Division Costs quoted for two allotments	2.2% of the sale price	\$8,360	Paid at settlement from the sale proceeds	Land Division Council Report for the disposal	Minimum allotment size – 375m ² Minimum street frontage 10m or 12m See note below			Loss of Community Land Funds to be appropriated for Open Space purchase / development
	Advertising – estimate to be provided by the Land Agent	\$3,000						
	Search fees	\$800						
	Legal fees - settlement	\$2,400						
	TOTAL FOR 2 ALLOTMENTS	\$14,560						
TOTAL ESTIMATED COSTS OF EXCHANGE OF LAND AND THE CREATION AND SALE OF 2 RESIDENTIAL ALLOTMENTS		\$115,563						

Note: Development Services have advised the preference is for the side boundaries are perpendicular to the street frontage (ie that the allotments are rectangular). Although this may result in a minor shortfall in site area and frontage, the allotments will be suitable for their purpose and adequately satisfy a majority of council's land division provisions.

The Valuer General's values of the land are as follows:

	Area of Land (m²)	Value per m²	VG's Value 2014/15
Council owned land fronting Myer Road	5,690	\$259.22	\$1,475,000
Housing owned land fronting Travers Street	2,764	\$354.55	\$980,000

The values of the land to be transferred to effect the exchange of land are detailed below:

	Area (m²)	Value per m²	Estimated Value
Land to be transferred to Housing SA	2,424	\$259.22	\$628,349
Land to be transferred to City of Marion	2,160	\$354.55	\$765,828
The difference between the two values (in favour of the City of Marion)			\$137,479

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Renee Pitcher, Landscape and Open Space Planner
Corporate Manager: Peter Patterson, Manager Open Space & Facilities
Director: Heather Montgomerie
Subject: Coastal Sign Audit and Replacement
Report Reference: GC091214R05

REPORT OBJECTIVES:

The purpose of this report is to provide Council with information at the conclusion of Stage 1 of the Surf Life Saving SA Coastal Audit, detailing the audit report findings, estimated signage costs, implications for the current City of Marion sign style guide, and liability / risk management issues.

This report is in response to Council's resolution (GC120213MO2), as set out below:

1. *A report be prepared to investigate future coastal signage in conjunction with Metropolitan Seaside Councils in adopting the national signage guidelines suggested in "National Aquatic and Recreational Signage Style Manual" which is endorsed by Australian Water Safety Council and The Royal Life Saving Society of Australia.*
2. *Council requests Surf Life Saving SA to conduct a coastal audit of the City of Marion coastline to identify appropriate signage needed to support a safe environment while addressing recreational needs for the community.*
3. *That \$8000 for the Audit be referred to the 2013/14 budget process for consideration and prioritisation.*

The funding for this project was approved and prioritised by Council during the Annual Business Plan & Budget 2013/14 – Rating Policy and New Initiatives Report (GC280513R04).

EXECUTIVE SUMMARY:

The City of Marion is the custodian of approximately 7.2 km of coastline stretching from Marino to Hallett Cove.

The signs currently in place along the City of Marion coastline are not consistent with the *National Aquatic and Recreational Signage Manual (the Manual)*. The Manual provides a national approach to signage of the coastline, which is different to Council's signage style guide.

Council has undertaken Stage 1 of the below two staged process:

- Stage 1: Audit and report
- Stage 2: Graphics, manufacture and installation of signs

Stage 1 has involved Surf Lifesaving SA (SLSSA) conducting an aquatic access, risk and safety signage assessment. The final audit report (Appendices 2 and 3) has made recommendations on:

- Access signage requirements relating to warnings, regulations.
- Main car park signage requirements relating to warnings, regulations and lifesaving/emergency services.
- Individual warning signs for areas of high risk.
- Production specifications and siting reference of each sign.
- The removal of unnecessary and non-standardised signage.

RECOMMENDATIONS (2)

DUE DATES

That Council:

1. Note the attached SLSSA Aquatic Access, Risk and Safety Signage Report and Recommendations. (Appendix 2 and 3)	9 December 14
2. Refers funding for 'Stage 2: Graphics, Manufacture and Installation of signage', for consideration in the strategic prioritisation process for the annual business plan and budget 2015/16.	9 December 14

BACKGROUND

The Manual offers a best practice signage system that uses existing standards and risk management principles for aquatic and recreational signage. The system is designed to provide the community with a clear and uniform message so that they can make informed decisions knowing the risk associated with recreational areas and aquatic locations. In addition, the system is designed to best protect land managers and venue operators from litigation.

Consideration will need to be given by Council to proceed to the second stage, including consideration of the project budget required for the manufacture, installation and maintenance of suggested signs and the removal of the existing non-standardised signs.

The Surf Life Saving SA (SLSSA) audit report provides recommendations on signage, access and emergency management systems that will ensure that the City of Marion continues to offer and develop measures that control visitor impact to sensitive ecological areas and general coastal environments while also ensuring that safety and risk management practices are addressed.

The report findings cover the total area of coastline within the City of Marion and focuses on the areas where the public are encouraged to be including the coastal walking trail. It is to be noted that this report includes the land that is within the Hallett Cove Conservation Park and owned by the Department of Environment, Water and Natural Resources (DEWNR).

The signs recommended within the report include:

- 7 Level 2 Carpark Signs – designed to attract attention and to display important information to visitors so that an informed decision can be made prior to undertaking activities.
- 16 Level 3 Access Signs – similar principles to the carpark signs but are used where access to areas are controlled via pathways.
- 16 Level 4 Individual Hazard Signs – to be used where a hazard is localised and has been identified at a level of risk that warrants sign posting.

In addition to the above signs SLSSA have also recommended some minor works to be undertaken in relation to preventable measures including closing barriers along the coastal trail and relocation of interpretative signs closer to pathways. The removal of the remaining signs along the coastal trail including regulatory signs, reserve signage and some other ad hoc signage that has accumulated over the years can then be removed. The information that is provided on these signs will be located within the new signs.

All proposed recommended signage as costed and outlined within this report is on Council land. Liaison has previously occurred with DEWNR through SLSSA and with the finalisation of the report; the City of Marion will provide DEWNR a copy of the report for their information, consideration and action within their land.

ANALYSIS:

Consultation

The City of Marion's Communications team has been contacted in relation to Council's branding. The Manual identifies a suite of sign types and specifications for the manufacture and installation of signs including materials, fixings, colour, typeface, dimensions, and placement. The specifications provide a national approach to signage of the coastline, which is different to Council's Signage Style Guide, however the specifications are in line with the National Standards for these specific signs which have been installed by other coastal Councils including the Cities of Port Adelaide Enfield, Onkaparinga and Victor Harbour. Initial discussions indicate that it is appropriate to adopt the national approach to coastal signage, and incorporate the City of Marion landmark on the signs.

Legal / Legislative and Risk Management

The implementation of recommendations from the audit, including the installation of new signage will respond to the risks highlighted within the report and will provide information on prohibitions and other safety information.

Financial Implications

In the 2013/2014 financial year Council committed \$8,000 towards the aquatic access, risk and safety signage audit and report (Stage 1) with SLSSA contributing \$4,600 toward the project. The total combined cost for the production of the report was \$12,600.

Following the completion of the audit and report (Stage 1), budget allocation will be required for the preparation of sign graphics, production and installation of signs, and removal of existing signs (Stage 2).

Total project costs to undertake Stage 2 of the project which include the production of graphics, manufacture, installation and annual maintenance costs, minor works suggested, removal of superseded signs and the update to Councils Signage Style Guide is estimated to cost \$38,500. See table below for breakdown.

Total Project Costs – Stage 2

Item	Cost
Production of Graphics, Manufacture and Installation of signs	\$32,500
Minor works / Removal of superseded signs	\$4,900
Update to Councils Signage Style Guide	\$1,100
Total	\$38,500

For Council to make a fully informed decision and consider the full financial implications of the recommendation in the report, Council will need to consider the whole of life cost. The whole of life costs are set out in the attached table (Appendix 1).

Resource (capacity) Impact

Project Management of Stage 1 of the audit and report was conducted internally. Should Council proceed to Stage 2, internal project management could occur as part of the 2015/16 works program.

Policy Implications

Council has an internal Signage Style Guide and it is envisioned that should Council wish to proceed, the national approach to coastal signage would be incorporated into this document.

Social / Cultural Impact

The implementation of a best practice signage system along the coastline of the City of Marion is anticipated to have positive outcomes for the community. The installation of new signs will clearly provide information associated with the coastline, allowing the community to make informed decisions. The installation of new signs and removal of existing signs will also improve the amenity of the coastline.

Environmental (Green) Implications

Should the project proceed, works will be undertaken in line with the Councils Environmental Management System giving consideration to sensitive coastal vegetation.

CONCLUSION:

The signs currently in place along the City of Marion coastline are not consistent with the *National Aquatic and Recreational Signage Manual*. This manual offers a best practice signage system that uses existing standards and risk management principles for aquatic and recreational signage.

It is recommended that Council consider proceeding to the second project stage and refer the graphics manufacture and installation of signs through the Strategic Prioritisation Process.

Whole of Life Cost Analysis												
Description	Lifecycle Yrs	Acquisition Cost	Projected Operating Costs pa	Projected Maint Costs pa	Total Projected O&M pa	Less Existing O&M pa	Net Increase O&M pa	Projected Depn/ Renewal pa	Existing Depn/ Renewal pa	Net Increase Depn/ Renewal pa	Whole of Life Cost of Proposal	Whole of Life Increase Cost of Proposal
Coastal Signage Implementation (Stage 2)	10	\$ 38,500	\$ -	\$ 1,640	\$ 1,640	\$ -	\$ 1,640	\$ 3,850	\$ -	\$ 3,850	\$ 93,400	\$ 93,400

**Whole of life costs include acquisition, operating & maintenance expenditure and depreciation/renewal using current values.*

Aquatic Risk Safety & Management Report

Prepared by Surf Life Saving SA



City of Marion



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Developed by Surf Life Saving South Australia Inc.

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Sections and references have been taken or referred to from:

Australian Coastal Public Safety Guidelines (First Edition, Consultative Version, 2007)

National Aquatic and Recreational Signage Style Manual (Third Edition, July 2006)

Australian Beach Safety and Management Program, University of Sydney Coastal Studies Unit

Best Practice Manual – Signage for Remote Locations, Statewide Mutual

Australian Standards

AS/NZS 31000 – Risk Management

AS 2416 – Water Safety Signage

AS 2899.1 – Public Information Symbol Signs – General Information Signs

AS 2899.2 – Public Information Symbol Signs – Water Safety Signs

This document has been prepared and compiled by Shane Daw: Version 6: 1 December 2014

1. EXECUTIVE SUMMARY

The City of Marion situated approximately 10 kilometres south of Adelaide in the southern suburbs covers some 55 square kilometres.

The coastline of the City of Marion boasts some of the best and most popular walking areas within the state. Over time the increase in visitors and residential demand has created impacts upon sections of the coastline region. This has included plant and dune areas suffering damage, resulting in various measures being undertaken to control these impacts in the more frequented areas.

The coastline is characterised by high cliffs, small coves and rocky beaches. It also has the significant cultural presence of the Tjilbruke Dreaming Trail, as well as including the world famous geological formations at Hallett Cove.

The City of Marion coastline, offers a diversity of coastal experiences. These range from fishing and swimming to surfing. Some areas offer relatively safe havens to visitors under normal conditions, through to others being more hazardous and dangerous stretches of coast in other instances.

As a result of attempting to ensure the protection of flora and dune systems are not destroyed or eliminated in various areas a significant number of locations have had improved amenities (i.e. car parking, toilets), boardwalks, stairways, paths and parking/camping facilities created that, while meeting some of the City of Marion's objectives, have also aided in increasing visitor patronage and access to these areas.

The City of Marion is a place characterised by diversity and change. Seven kilometres of rugged and beautiful coastline, hundreds of hectares of open space and bushland lie side by side with modern suburban development.

Accordingly key officers from the City of Marion have identified potential risk issues and sought the consultative services of Surf Life Saving SA (SLSSA) to provide recommendations on signage, access and emergency management systems that will ensure that the City of Marion continues to offer and develop measures that control visitor impact to sensitive ecological areas and general coastal environments within the boundaries of Council while also ensuring that safety and risk management practices are also paramount.

2. INTRODUCTION

Coastal management authorities need to take preventative actions to avoid foreseeable loss of life and injury on any section of coastline likely to be visited by people. Surf Life Saving throughout Australia has been proactive in working with various Risk Management bodies (eg Statewide Mutual etc) and has met with various State and Local Government groups with the objective of reducing risk and therefore liability.

There is a committed stance to promote safer usage of coastal stretches by implementing a standardised sign and risk management system around aquatic environments.

City of Marion is a very well managed area, however due to the nature of the area and access provided there are a number of identified hazards that increase the likelihood of risk to visitors to some of these locations.

Consideration is required to treat and manage the risks present at these locations to ensure visitors can enjoy the safest aquatic recreation possible. Solutions will include:

- removal of hazards where possible.
- Sign placement for hazards present in the area to allow visitors to make informed decisions on whether they wish to proceed into area or not.
- ensuring access ways conform to Best Practices and Australian Standards,
- implementation of management processes where it is not possible to remove hazards.
- appropriate emergency management systems put in place.
- uniform signage.

Hazard:

A Hazard is anything which has the potential to do harm. (National Safety Council of Australia)

Risk:

The possibility of incurring misfortune or loss. (The Collins Australian Dictionary)

Risk = Consequences x Exposure x Probability

3. AUTHORITY

This aquatic risk and safety consultation of City of Marion has been conducted under the authority of Renee Pitcher, Landscape and Open Space Planner on behalf of City of Marion.

4. SCOPE

To conduct an Aquatic Risk and Safety inspection, and prepare a report with recommendations in line with current sign standards and best practices.

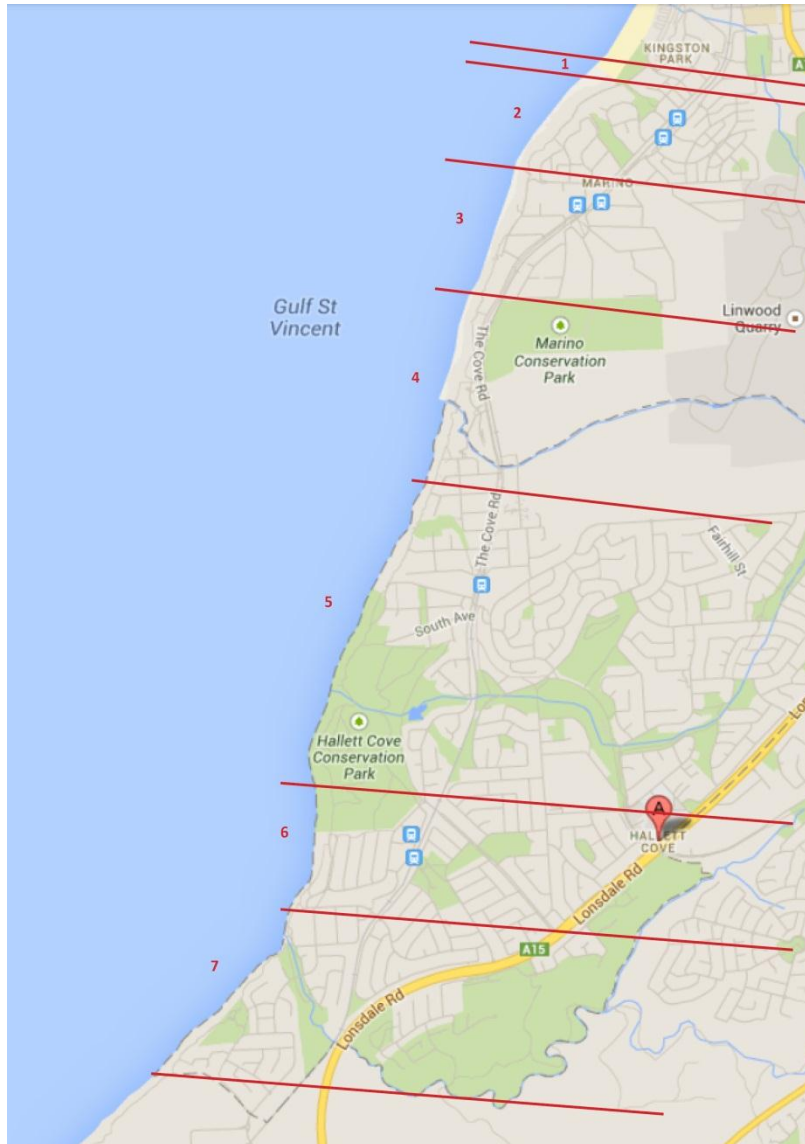
Site inspections were undertaken from the Seacliff boundary to the Hallett Cove boundary of the City of Marion and include:

1. An Aquatic Risk and Safety inspection of the current status of hazards and the management on the foreshore area.
2. Recommendations on the requirements for signage including:
 - Access sign requirements relating to warnings, regulations and emergency services.
 - Car park sign requirements relating to warnings, regulations and emergency services.
 - Individual warning signs for areas of high risk.
 - Individual production specifications and siting of each sign.
 - Removal of unnecessary and non-standardised signs.
3. Recommendations for emergency services.

5. SITE IDENTIFICATION

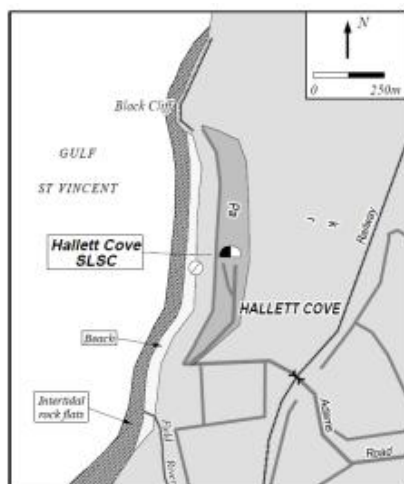
5.1 The Site

The City of Marion situated approximately 10 kilometres south of Adelaide in the southern suburbs covers some 55 square kilometres.



Section break down

1. Esplanade
2. Esplanade – Jervois Tce
3. Jervois – Murto Road walk entry
4. Bundarra - Nardoo
5. Nardoo – Hallett Cove (Black Cliffs)
6. Hallett Cove (Black Cliffs) – Grand Central Ave
7. Hallett Cove South (Vincents Ave) – Balboa Road



5.2 Administration

The areas managed under the City of Marion contain numerous formal and informal parking areas. Within various areas there are constructed picnic/BBQ areas and toilet facilities.

5.3 Profile

The coastal area of City of Marion provides a variety of low energy beaches, however the area can be subject to waves and higher energy systems which can create rip currents. The Marino Rocks area commences at the southern boundary of Seacliff with cliff and rock platforms being the predominant feature through this coastal area and the waves averaging 0.5 to 1 metres.

The coastal access points are rock dominated adding to the risk and hazards making them unsuitable or highly hazardous for most recreational pursuits.

Beaches within City of Marion can receive waves varying from very low energy wave chop driven formations through to average wave heights of 0.5 – 2 metres.

5.4 Emergency Service

There are no Surf Life Saving Clubs within the City of Marion areas. The nearest lifesaving facilities are located at Seacliff and Christies Beach.

Surf Life Saving SA provides emergency support to the area with the use of a 24 Hour Response Group, Lifesaver Jet Rescue Boats, Lifesaver Jet Rescue Skis. Response time for call outs for these resources varies subject to location and availability and be between 30 – 90 minutes.

The Police, Ambulance, and SES have an estimated response time of 10 – 20 minutes to areas of the City of Marion, subject to priority and availability of resources.

6. COMPLIANCE STANDARDS

The compliance standards used for this inspection were:

- Australian Coastal Public Safety Guidelines (First Edition, Consultative Version, 2007)
- National Aquatic and Recreational Signage Style Manual (Third Edition, July 2006)
- Australian Beach Safety and Management Program, University of Sydney Coastal Studies Unit
- Best Practice Manual – Signage for Remote Locations, Statewide Mutual
- Australian Standards
 - Risk Management
 - Water Safety Signage
 - Public Information Symbol Signs – General Information Signs
 - Public Information Symbol Signs – Water Safety Signs

7. METHODOLOGY

For the purpose of this site inspection, the following techniques were employed:

- Detailed inspection of the coastal environment and adjoining associated sites.
- Interviews with selected staff.
- Interviews with selected local residents and users of the beach.
- Review of incidents within boundaries.
- Review of research undertaken by the Coastal Studies Unit of the University of Sydney.

8. FINDINGS

Inspections were conducted at various times, this allowed observations of the beach to be made under various surf and tidal conditions, along with information sourced through information from Council and other research.

Due to the significant area the City of Marion covers, and the diversity of beaches throughout this location, full summaries that cover the following critical points below are provided to agreed beaches, with a broader summary of provided to others:

1. Site Identification

- Area Summary
- Australian Beach Safety and Management Program (ABSAMP) Hazard Rating
- Bathing Summary

2. Findings

- Site Development
- Access
- Hazards
- Signage

3. Discussion

- Foreshore Profile
- Signage

4. Recommendations

- Access signs
- Access signage recommendations
- Stand alone warnings sign recommendations
- Open Area/Car park signage recommendations
- Special considerations.

8.1 Beach Profile(s)

Beach Profiles for surfing, swimming etc are taken from research conducted by Surf Life Saving SA with the Coastal Studies Unit from the University of Sydney and in consultation with Professor Andrew Short.

Hazard Ratings are determined as modal (average) ratings based on the research, beach type and features that make up the characteristics for each beach. This information, coupled with other physical factors, is used to determine a general rating that is applied on normal (modal) conditions.

Accordingly it must be noted that the Hazard rating may, and does increase when conditions alter. It must also be emphasised that the Hazard rating relates only to the physical hazards present and does not incorporate any factors of human skill or behaviour, therefore the risk may be greater or less than that described depending on each individual person's own skill, understanding and competence in relation to the area.

However more importantly it must be noted this is a Hazard Rating, not a safety rating and regardless of conditions, caution should be used at all times.

Hazard Ratings are prescribed as follows with a Hazard rating of 1 being the Least Hazardous through to a Hazard rating of 10 being the Most Hazardous. As the number increases so does the level of hazard and/or risk:

Hazard Rating	Notes
1 - 3	Least Hazardous: Low danger posed by water depth and/or weak currents, however supervision still required, in particular for children and poor swimmers.
4 - 6	Moderately Hazardous: The level of hazard depends on wave and weather conditions, with the possibility of strong rips and currents posing a moderate risk.
7 - 8	Highly Hazardous: Experience in strong surf, rips and currents is required, with beaches considered dangerous.
9 - 10	Extremely Hazardous: Identifies beaches that are considered extremely dangerous due to strong rips and currents, and large breakers.

Note: Hazard ratings will change with rising waves, winds, strong tides and high tide

8.2 Site Development

There are numerous formal and informal car parks and parking areas throughout City of Marion. The beach cannot be viewed directly from some car parks without having to walk to certain points. Barriers / borders are placed around some car parks in varying degrees to prevent/limit vehicle access onto the beach and dunes or restrict them to certain areas.

Throughout the park varying degrees of formalisation has taken place, this is in the form of:

- Set parking areas
- Boardwalk/access/observation areas
- Toilet facilities

8.3 Beach Access

There are a significant number of formal and informal access ways leading onto beaches (rocks) and/or other areas within the City of Marion.

Some formal entry points direct visitors to what is best described as informal tracks that lead to the beach/rock areas, while in other instances considerable work has been undertaken with formal tracks and boardwalks created that are of high quality.

8.4 Identified Hazards

Due to the significant number of formal and informal access ways leading to the many beaches and surrounding environs within City of Marion there are a number of hazards, which were identified during the inspection.

These hazards are in addition to beach and foreshore hazards including rips, reefs and rock sections within the beach zone.

The hazards range from:

- tree roots, plant life or sand/plant covering signs,
- access points (both formal and informal) leading to high risk areas (ie onto rock platform areas which are uneven, slippery and subject to tidal/wave conditions).

8.6 Signs

There is a range of existing signs within City of Marion, this varies from correct signs, to no signs through to signs that in some instances do not conform to Australian Standards.

9. DISCUSSIONS

9.1 Beach Profile

Beaches within City of Marion vary greatly with some beaches being identified as low risk (Least Hazardous) through to beaches of the highest risk (Extremely Hazardous). Accordingly beach ratings are provided in each of the beach summaries.

Hazard Rating	Notes
1 - 3	Least Hazardous: Low danger posed by water depth and/or weak currents, however supervision still required, in particular for children and poor swimmers.
4 - 6	Moderately Hazardous: The level of hazard depends on wave and weather conditions, with the possibility of strong rips and currents posing a moderate risk.
7 - 8	Highly Hazardous: Experience in strong surf, rips and currents is required, with beaches considered dangerous.
9 - 10	Extremely Hazardous: Identifies beaches that are considered extremely dangerous due to strong rips and currents, and large breakers.

Note: Hazard ratings will change with rising waves, winds, strong tides and high tide

Many of the beaches exhibit a mixture of the following, which provides constant conditions to many beaches with moderate to high risk factor levels.

9.2 Population Usage and Impact

City of Marion usage is subject to some seasonal and surf reliant impacts with summer noted as the significant period for visitations, however the area does have visitors through the full 12 month period. With the increased development and improvement of the area it is anticipated this number will increase, although at this stage the extent of this increase is unknown. During winter, water activities are still popular, with summer sometimes being busy, however surfers, people fishing and other recreational users will utilise the area all year depending on prevailing conditions.

The beach is used for a number of activities including swimming, surfing, windsurfing, kayaking, beach/rock fishing, SUPs (Stand Up Paddling) and trail walking.

The identified aquatic hazards represent significant threats to swimmers, surfers and people fishing in certain areas of the park, with examples as follows:

- Currents – causes a rapid longshore drag which can separate a surfer from craft, can distance surf users from their point of entry (and supervision), disorientate swimmers and encourage them to swim against it leading to fatigue and an increased risk of experiencing difficulty.
- Waves - cause an increase in the volume of water entering and leaving the surf zone leading to an increase in the strength of currents and rips. Large waves can also cause swimmers and surfers to be dumped onto rocks with the potential to cause serious injury including spinal damage. There is also a risk of being washed off the rocks which can be slippery.
- Wind direction and velocity – the direction and intensity of wind causes the effect of currents and waves to be more pronounced. In some cases the direction of sweep can be reversed with a change in the wind direction, although interviews with existing beach users indicate the sweep at most beaches seems to be relatively constant. High winds and breaking surf can also muffle the sound of human voices e.g. in the case of a call for assistance.

9.3 Signs

Due to the varying levels of signs in areas this is addressed in the attachment.

10. RECOMMENDATIONS

10.1 Beach Access Signs

Each beach access sign should contain the name of the beach:

- Beach Name eg 'Browns Beach'

The highest risk dominant hazards identified within the beach should appear on the beach access sign as warning symbols eg:

- Strong Currents
- Large Waves
- Gutters and Inshore Holes

Information details should be provided as required eg:

- Toilets
- Phone
- Camping

All regulations/ordinances that apply to the beach should appear on the beach access signs as prohibition pictograms eg:

- No Animals
- No Camping
- No Fires
- No Vehicles



The emergency location numbering system proposed can be used both within the City of Marion area and could be extended to the entire region. At this time the numbering system would not be State recognised and would only be done for Councils benefit. However the 'In case of emergency dial 000' should be used at a minimum.

10.1.1 Beach Access Sign Recommendations

It is recommended that beach access signs be placed at all formal points of access to beaches within City of Marion.

All signs that contain information or prohibitions as writing should have pictograms as per Australian Standards and be reinforced/elaborated with writing.

10.2 Stand Alone Warning Sign Recommendations

Throughout the park there are various factors that note the need for stand alone warning signs – these are addressed in the sign summary e.g.



Dangerous Currents /
Dangerous Conditions



Edge



Rough Surf

10.3 Car Park/ Open Area Sign Recommendations

It is recommended that open access signs (as per Sign Appendix) be erected at the beginning of car parks as identified.

It is noted that not all areas require this type of sign with other areas covered by the smaller beach access signage as detailed above.



10.4 Special Considerations

10.4.1 Access Ways

A number of access ways have been identified as low to high risk. In some instances there are formal paths leading to informal tracks in which cases high levels of risk have been identified. These include stairs and paths that lead to rock areas which means the surface is uneven and as noted in numerous locations there is also the risk of falling rocks. Some low lying areas are also subject to tides and waves and may be slippery.

Reference is made to certain areas throughout the main report and individual reports.

10.4.2 Trip Hazards

Trip hazards identified in the boardwalk and access ways should be repaired, removed or measures put in place to reduce the risk.

10.4.3 Emergency Service Number System

Currently it is recommended not to complete this part until Police and other agencies have advised a preferred numbering system. If Council wish to number it or use a code it would be primarily for Council purposes.

The use of 'In an emergency dial 000' is recommended to be included at a minimum.

11. Other Items

- **Information:**

As part of information provided by City of Marion an update to all literature should include a summary of safety factors and potential hazards. Detail in relation to procedures should there be a requirement for emergency services support is also highly recommended.

Inclusions regarding pets and fires have not been addressed at large and are issues that need to be considered with regards to appropriate signage.

Signage pertaining to snakes as a hazard are identified for some areas, however may also need to be considered for all areas.

- **GPS Referencing:**

Note: GPS referencing may vary + - 3m to + - 9m.

Aquatic Risk Safety & Management Report

Prepared by Surf Life Saving SA



Part B: Coastal Signage and Access Summary

City of Marion



Marino / Hallett Cove

1. SITE IDENTIFICATION / GENERAL OVERVIEW

a. Area Summary:

The general area Marino / Hallett Cove commences at the southern end of Seacliff through to the northern area of the Desalination Plant.

The Marino area is predominately rock faced coastal zone which leads to Hallett Cove which is a 1 km long break in the 40 to 60 m high cliffs that dominate the coast from Point Curlew to Seacliff. The break forms a natural amphitheatre along the shoreline, within which is a strip of sand called Hallett Cove Beach.

The sloping land behind the beach has been partly developed for housing, with a park in the centre of the beach reserve for recreation, the old Hallett Cove Surf Life Saving Club which is now a kiosk and a basic boat ramp. Field River drains across the southern end of the beach.

The beach is 1 km long, faces west and is bordered by the cliffs of Curlew Point to the south and Black Cliff to the north. Black Cliff is a famous geological site where ancient glacial remains are clearly visible.

It is now part of the Hallett Cove Conservation Park, which includes the northern half of the beach and bordering cliffs. The cliffs at either end are fronted by 50 to 100 m wide intertidal rock flats.

These also extend along the length of the beach, where they are only partially covered by sand at high tide. Consequently the beach, while sometimes sandy at high tide, is predominantly rock flats and boulders at low tide, with a sand bar seaward of the rocks.

The waves, which average 0.5 to 1 m, break over the bar and rock flats, usually maintaining two to three rips across the bar.



b. ABSAMP Hazard Rating:

Hallett Cove has a general ABSAMP Hazard Rating of 5 (Moderately Hazardous) for the bathing environment.

c. Bathing:

An attractive cove, which unfortunately has lost much of its cover of sand, causing problems for swimmers and surfers. However does offer one of the best walking trails in South Australia.

The Hallett Cove Conservation Park was established in 1976 and covers 51 ha. This small conservation park includes the beach, cliffs and rock platforms of about 1 km. The park was established to preserve the 270 million year old glaciated pavements, which are well preserved in the rocks.



2. FINDINGS

a. Site Development:

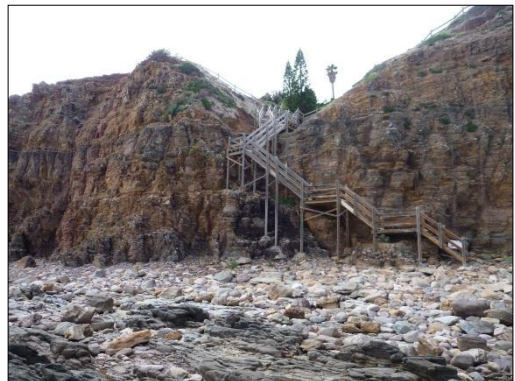
- There is a number of formal car parks along this area including Hallett Cove which is the most developed of the areas within the coastal region of Hallett Cove.
- There are some formal paths located at different sites in these locations.
- At some locations formalised observation platforms have been established along with formal boardwalks/paths.



b. Access:

There are numerous access points leading to the coast sited between Seacliff/ Marion and the Southern end of Hallett Cove.

- A number of these are formal with clear boardwalks or paths directing you, however almost all lead to significant rocky areas.
- A number of informal tracks have also been developed. Some seem to be a result of signage at that location or breaks in fencing or barriers.
- There are numerous 'steep step' areas which in some instances are identified at some locations, while no details at other locations. This could be addressed with key information at all formal entry points.



c. Hazards:

This area has a range of hazards associated with it. In particular:

- Formal access to beach leads to extremely identified hazardous areas due to rocks and subject to tides and waves.
- Submerged objects including rocks and reef sections.
- Rips and inshore holes.
- Creek which may be subject to pollution and when flowing hazard to cross.

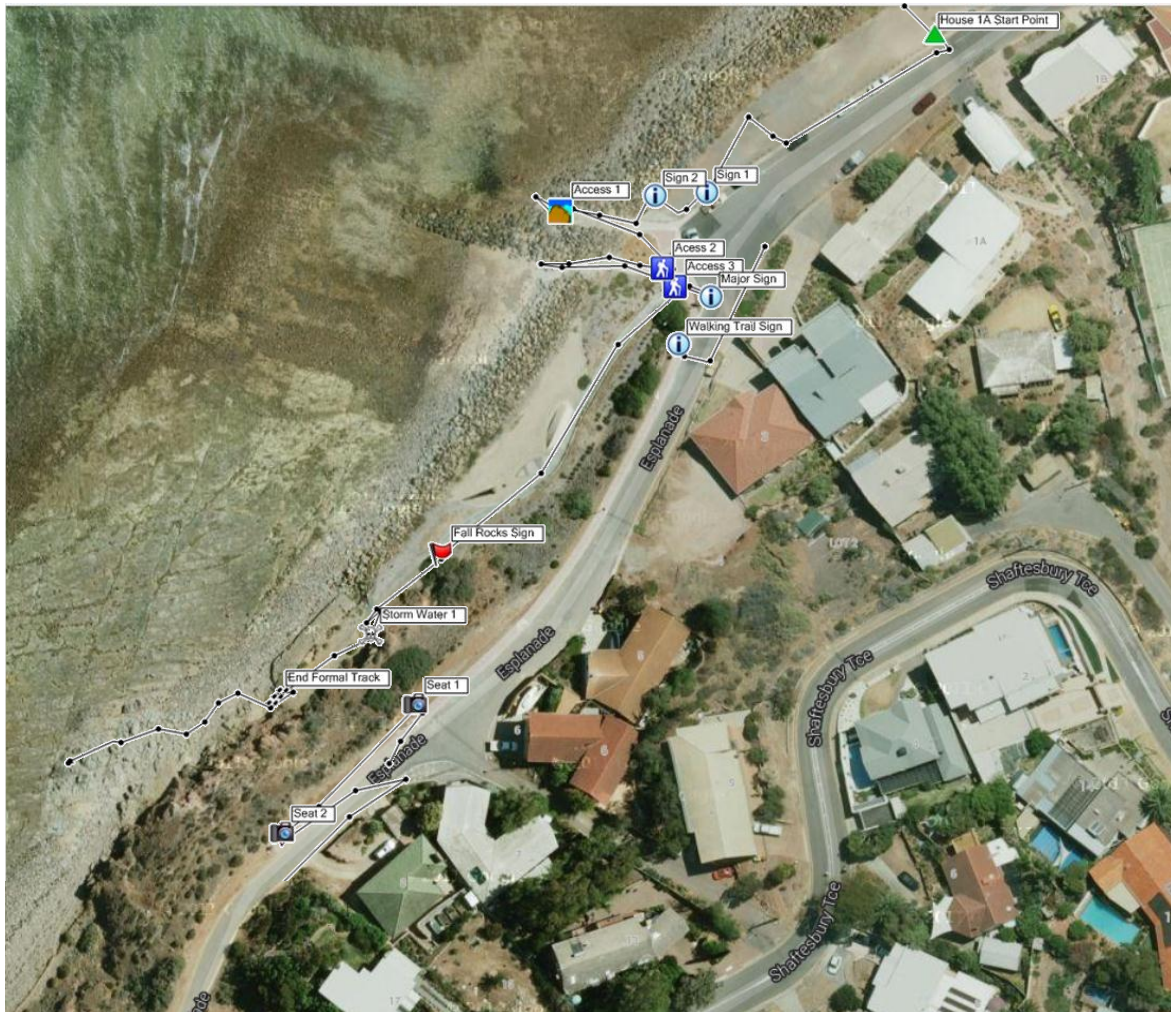
d. Signage:

The signage that exists at these areas varies from basic information signs which include reference to unstable cliffs, plus references at some points that includes:

- Use of stairs
- Dogs (in some areas conflicting messages)
- Cliff faces, risk of falling rocks or falls (incorrect pictogram used in some instances)
- Coastal trail
- No alcohol



Note: GPS referencing may vary + - 3m to + - 9m.



1. Esplanade (Seacliff/Marino)

Sign 1 (Dogs/Alcohol)	S35 02.477 E138 30.696
Sign 2 (Rock Removal/Spearfishing)	S35 02.477 E138 30.690
Access 1	S35 02.479 E138 30.678
Access 2	S35 02.484 E138 30.691
Major Sign	S35 02.487 E138 30.697
Access 3	S35 02.486 E138 30.692
Falling Rocks Sign	S35 02.514 E138 30.663
Storm Water 1	S35 02.522 E138 30.654
End Formal Track	S35 02.528 E138 30.643
Walking Trail Sign	S35 02.492 E138 30.693

Access at this location is well defined with formal pathways that lead to;

- The beach/rock platforms and semi-formal craft launch area
- Walking trail
- Observation/seating areas
- Some multi lingual signage and interpretive signage.

Specific issues to this area are inclusive of:

- Rocky beach entry
- Submerged rocks and shore break along all beach points
- Informal tracks.

Clarification to be sought relating to the removal of rocks and spearfishing.



Esplanade (Seacliff/Marino) GPS: S35 02.487 E138 30.697

	Location Identification: Beach Name: <name to be inserted> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 2 – Car Park Sign GPS Location: S35 02.487 E138 30.697 Location Description and Siting:
Hazards and Warnings:  Currents  Falling Rocks  Submerged Rocks  Slippery Rocks	
Information: Recommendations include:  Lifesaving Service: Patrols operate at Seacliff <xyz> distance <direction show by arrow>. The beach is only patrolled when the red and yellow flags are displayed.  Keep watch of children  Walking Trails < include direction with Arrow > Note: refer grades	
Regulations: Council to review:  No Spear Fishing  Dogs Must Be Under Control At All Times  Pick up after your dog  Alcohol Prohibited  Removal of Shellfish Prohibited  No Littering	



Example of signage style and layout only: Please do not replicate content.

Access 1 S35 02.479 E138 30.678
 Access 2 S35 02.484 E138 30.691
 Access 3 S35 02.486 E138 30.692

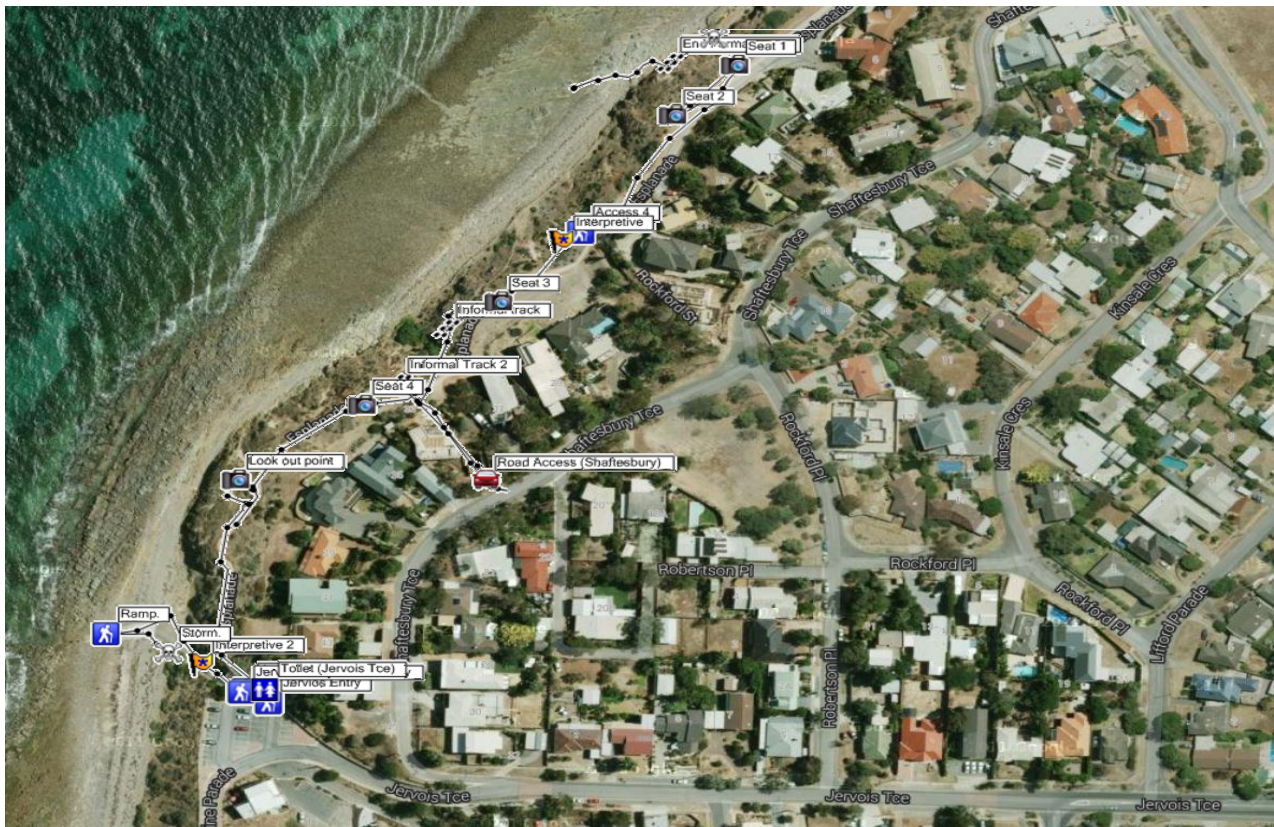
	Location Identification: Beach Name: <name of each area> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 3 – Defined Access Sign GPS Location: as defined above elsewhere Location Description and Siting: On left hand side at entry point.
Hazards and Warnings:  Currents  Falling Rocks (Access 3 only)  Submerged Rocks  Slippery Rocks	
Information: Recommendations include:  Lifesaving Service: Patrols operate at Seacliff <xyz> distance <direction show by arrow>. The beach is only patrolled when the red and yellow flags are displayed.  Keep watch of children	
Regulations: Council to review:  No Spear Fishing  Dogs Must Be Under Control At All Times  Pick up after your dog  Alcohol Prohibited  Removal of Shellfish Prohibited  No Littering	



Example of signage style and layout only: Please do not replicate content.



Section 2: Through to Jervois Terrace



Access 4	S35 02.572 E138 30.619
Informal track	S35 02.597 E138 30.582
Informal Track 2	S35 02.611 E138 30.570
Toilet (Jervois Tce)	S35 02.691 E138 30.534
Jervois Entry	S35 02.694 E138 30.535
Jervois Entry 2	S35 02.691 E138 30.529
Jervois Entry Beach Entry	S35 02.692 E138 30.528
Ramp	S35 02.676 E138 30.491
Stormwater	S35 02.681 E138 30.508

Access at this location is well defined with formal pathways that follow a designated track/path through to Jervois Terrace, notations include;

- The beach/rock platforms and semi-formal craft launch area (Jervois)
- Walking trail signs
- Observation/seating areas

Specific issues to this area are inclusive of:

- Rocky beach entry points
- Submerged rocks and shore break along all beach points
- Informal tracks
- Storm water run off
- Dog control sign (hidden by bushes) Jervois Beach Entry
- Removal of rocks etc sign not legible
- Launch area at Jervois in medium state – possible repairs required
- Removal of rocks etc – need to confirm



Access 4
Jervois

S35 02.572 E138 30.619

S35 02.692 E138 30.528

	Location Identification: Beach Name: <name to be inserted> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 2 – Car Park Sign GPS Location: As above Location Description and Siting:												
Hazards and Warnings: <table border="0"> <tr> <td></td> <td>Currents</td> <td></td> <td>Snakes</td> </tr> <tr> <td></td> <td>Submerged Rocks</td> <td></td> <td>Unstable Edges</td> </tr> <tr> <td></td> <td>Slippery Path / Rocks</td> <td></td> <td></td> </tr> </table>			Currents		Snakes		Submerged Rocks		Unstable Edges		Slippery Path / Rocks		
	Currents		Snakes										
	Submerged Rocks		Unstable Edges										
	Slippery Path / Rocks												
Information: Recommendations include: <table border="0"> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Public Toilets (Jervois Tce only)</td> <td>Keep watch of children</td> <td>Walking Trails < include direction with Arrow > Note: refer grades</td> </tr> </table>					Public Toilets (Jervois Tce only)	Keep watch of children	Walking Trails < include direction with Arrow > Note: refer grades						
													
Public Toilets (Jervois Tce only)	Keep watch of children	Walking Trails < include direction with Arrow > Note: refer grades											
Regulations: Council to review: <table border="0"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>No Spear Fishing</td> <td>Dogs Must Be Under Control At All Times</td> <td>Pick up after your dog</td> <td>Alcohol Prohibited</td> <td>Removal of Rocks, Pebbles, Sand, Shellfish Prohibited</td> <td>No Littering</td> </tr> </table>								No Spear Fishing	Dogs Must Be Under Control At All Times	Pick up after your dog	Alcohol Prohibited	Removal of Rocks, Pebbles, Sand, Shellfish Prohibited	No Littering
													
No Spear Fishing	Dogs Must Be Under Control At All Times	Pick up after your dog	Alcohol Prohibited	Removal of Rocks, Pebbles, Sand, Shellfish Prohibited	No Littering								



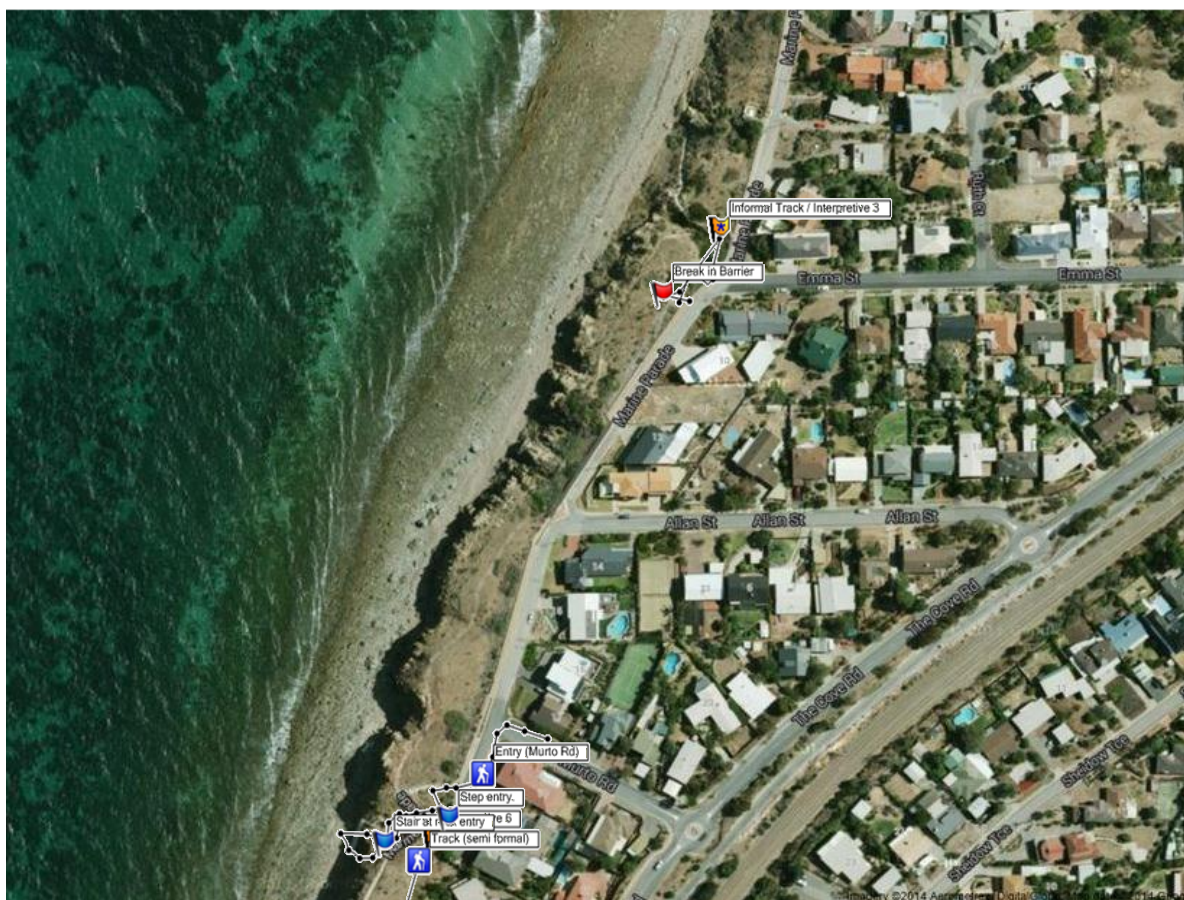
Example of signage style and layout only: Please do not replicate content.

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: S35 02.681 E138 30.508 Location Description and Siting: To the right of the drain so visible
Hazards and Warnings:  Storm Water	



Example of signage style and layout only: Please do not replicate content.

3. Jervois - Murto



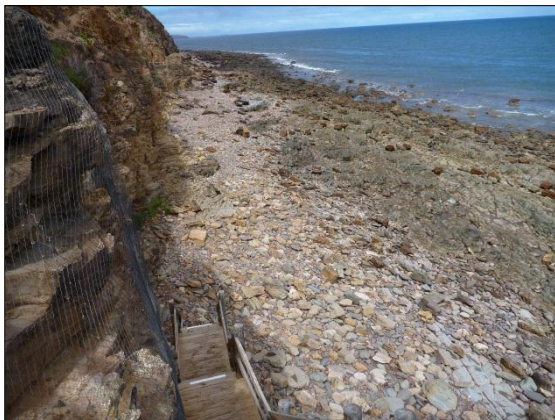
Break in Barrier	S35 02.822 E138 30.478
Informal Track / Interpretive 3	S35 02.807 E138 30.497
Entry (Murto Rd)	S35 02.935 E138 30.421
Step entry	S35 02.946 E138 30.410
Stair at rock entry	S35 02.952 E138 30.390
Track (semi formal)	S35 02.956 E138 30.401

Access through this area is limited until you get to Murto, with the main pathway being adjacent the road, however informal paths do exist inside the fencing barrier. As observed through other areas there are:

- The beach/rock platforms
- Walking trail
- Observation/seating areas
- Some multi lingual signage and interpretive signage.

Specific issues to this area are inclusive of:

- Marine Parade/Emma Street – a break in the barrier which provides access, along with informal tracks that have developed at the location of the interpretive signs. **Recommended break in barrier be closed; Interpretive sign be relocated.**
- Steep steps – some caution signs but generally one direction only. **Recommended caution note to be included in signage at the commencement of entry ways to walking trails.**
- Spearfishing sign – need to confirm policy/regulations.



Murto Road Entry

S35 02.935 E138 30.421

	Location Identification: Beach Name: <name to be inserted> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 2 – Car Park Sign GPS Location: S35 02.935 E138 30.421 Location Description and Siting:												
Hazards and Warnings: <table border="0"> <tr> <td></td> <td>Currents</td> <td></td> <td>Slippery Path/Rocks</td> </tr> <tr> <td></td> <td>Steep Steps</td> <td></td> <td>Falling Rocks</td> </tr> <tr> <td></td> <td>Snakes</td> <td></td> <td>Unstable Edges</td> </tr> </table>			Currents		Slippery Path/Rocks		Steep Steps		Falling Rocks		Snakes		Unstable Edges
	Currents		Slippery Path/Rocks										
	Steep Steps		Falling Rocks										
	Snakes		Unstable Edges										
Information: Recommendations include:  Walking Trails < include direction with Arrow > Note: refer grades													
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Spearfishing Prohibited	Dogs Must Be Under Control At All Times	Pick up after your dog	Alcohol Prohibited	No Bikes	No Motor Bikes								



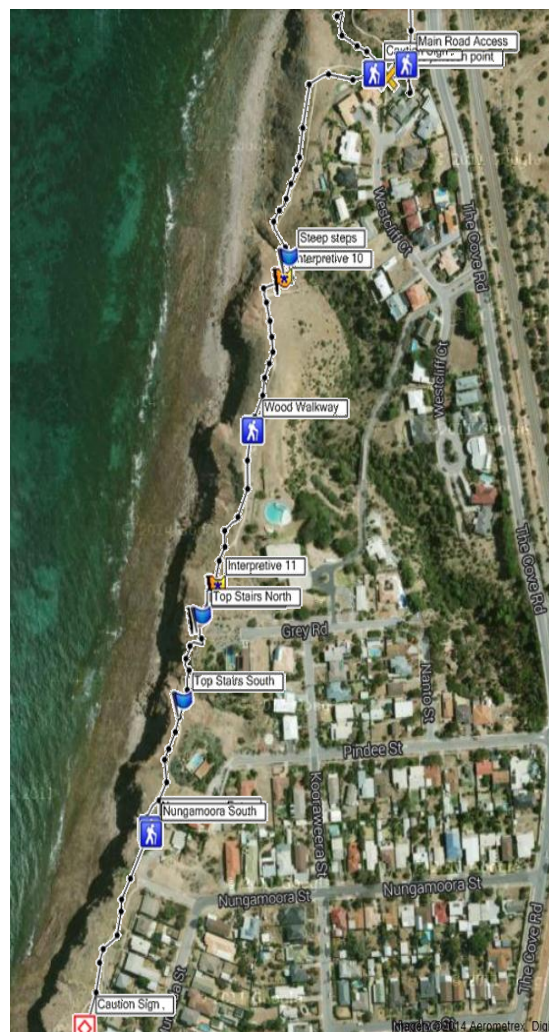
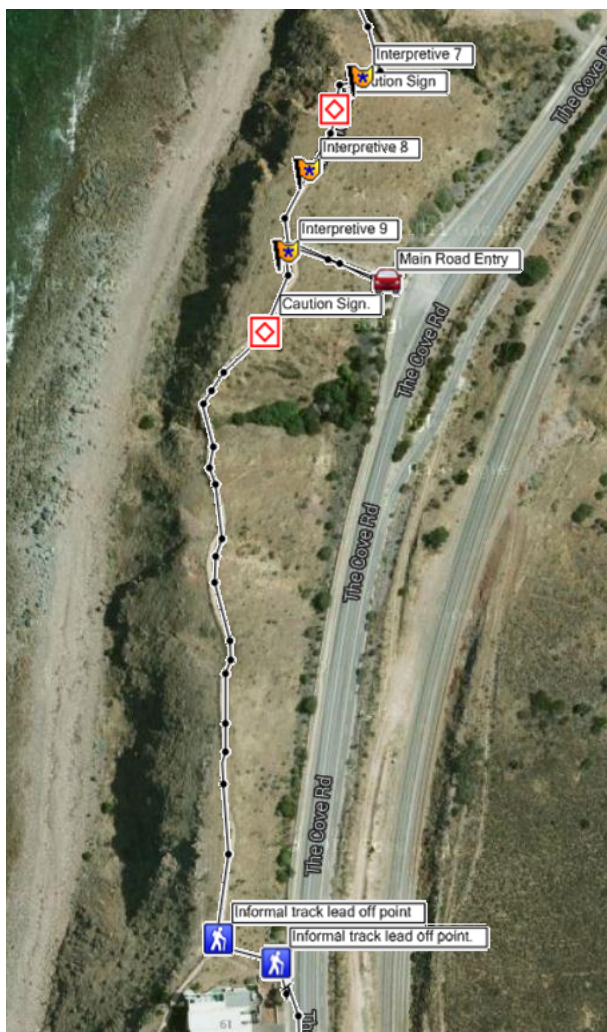
Example of signage style and layout only: Please do not replicate content.

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: S35 02.952 E138 30.390 Location Description and Siting: Note: current falling rock sign mounted low on step area – needs to be changed to visible height.
Hazards and Warnings:  Falling Rocks  Slippery Rocks	



Example of signage style and layout only: Please do not replicate content.

4. Bundarra - Nardoo



Main Road Entry	S35 03.118 E138 30.361
Informal track lead off point	S35 03.246 E138 30.319
Informal track lead off point	S35 03.250 E138 30.334
Access junction point	S35 03.328 E138 30.326
Main Road Access	S35 03.322 E138 30.338
Steep steps	S35 03.411 E138 30.259
Top Stairs North	S35 03.572 E138 30.201
Top Stairs South	S35 03.610 E138 30.188
Nungamoora Entry	S35 03.666 E138 30.166
Nungamoora South	S35 03.668 E138 30.167

Notation for this area include:

- Access to beach/rock platforms
- Walking trail
- Observation/seating areas
- Some multi lingual signage and interpretive signage.

Specific issues to this area are inclusive of:

- Steep steps – some caution signs but generally one direction only.
Recommended caution note to be included in signage at the commencement of entry ways to walking trails.



Main Road Entry

S35 03.118 E138 30.361

	Location Identification: Beach Name: <name to be inserted> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 2 – Car Park Sign GPS Location: S35 03.118 E138 30.361 Location Description and Siting:												
Hazards and Warnings: <table border="0"> <tr> <td></td> <td>Unstable Edges</td> <td></td> <td>Currents</td> </tr> <tr> <td></td> <td>Steep Steps</td> <td></td> <td>Unstable Cliffs</td> </tr> <tr> <td></td> <td>Snakes</td> <td></td> <td>Slippery Rocks / Path</td> </tr> </table>			Unstable Edges		Currents		Steep Steps		Unstable Cliffs		Snakes		Slippery Rocks / Path
	Unstable Edges		Currents										
	Steep Steps		Unstable Cliffs										
	Snakes		Slippery Rocks / Path										
Information: Recommendations include:  Walking Trails < include direction with Arrow > Note: refer grades													
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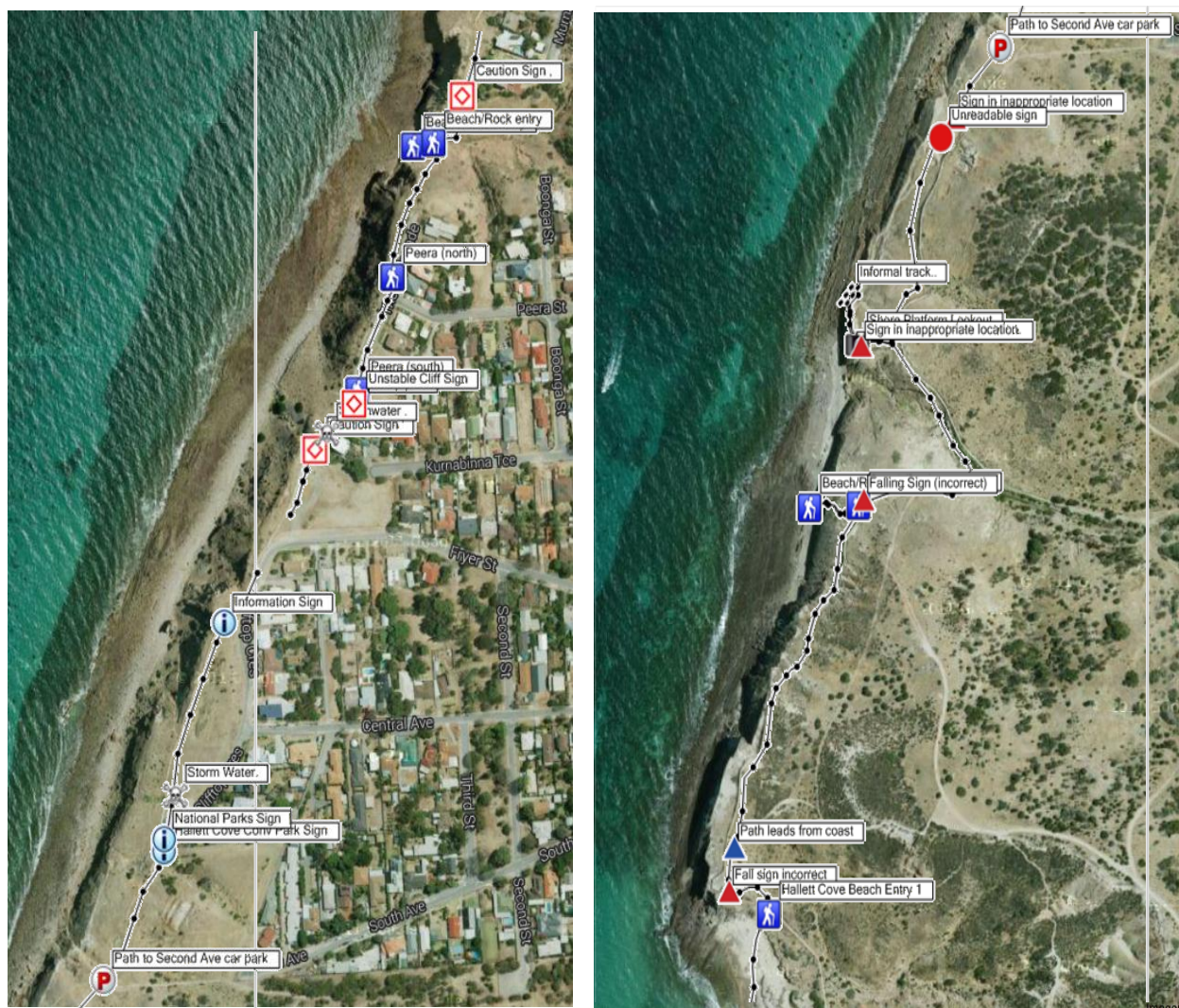
Example of signage style and layout only: Please do not replicate content.

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: Base of all steps Location Description and Siting: Base of all steps Note: current falling rock sign mounted low on step area – needs to be changed to visible height.
Hazards and Warnings:  Falling Rocks  Slippery Rocks	



Example of signage style and layout only: Please do not replicate content.

5. Nardoo – Hallett Cove (Beach Entry North, known as Black Cliff)



Beach/Rock entry	S35 03.776 E138 30.106
Beach/ Rock Entry	S35 03.777 E138 30.093
Peera (north)	S35 03.834 E138 30.081
Peera (south)	S35 03.883 E138 30.060
Steep path	S35 03.890 E138 30.060
Unstable Cliff Sign	S35 03.889 E138 30.058
Stormwater	S35 03.902 E138 30.042
Caution Sign	S35 03.909 E138 30.035
Information Sign	S35 03.984 E138 29.980
Storm Water	S35 04.058 E138 29.951
National Parks Sign	S35 04.077 E138 29.944
Hallett Cove Conv Park Sign	S35 04.082 E138 29.944
Path to Second Ave car park	S35 04.138 E138 29.908
Sign in inappropriate location	S35 04.167 E138 29.881
Unreadable sign	S35 04.175 E138 29.872
Shore Platform Lookout	S35 04.261 E138 29.820
Informal track	S35 04.241 E138 29.815

Sign in inappropriate location	S35 04.262 E138 29.823
Falling Sign (incorrect)	S35 04.326 E138 29.825
Beach/Rock entry (top)	S35 04.328 E138 29.821
Beach/Rock entry (base)	S35 04.329 E138 29.791
Path leads from coast	S35 04.470 E138 29.745
Fall sign incorrect	S35 04.488 E138 29.742

Notation for this area include:

- Leads into the Conservation Park and exits at Hallett Cove
- Access to beach/rock platforms
- Walking trail very formalised through most of this section
- Observation/seating areas
- Some multi lingual signage and interpretive signage.

Specific issues to this area are inclusive of:

- Some of the National Park signs are not the Australian Standard but to the Parks on guidelines – a potential conflict in messaging as you pass through the area.
- Some Park signs not able to be read.
- Some hazard signs are posted in locations within the Park that are a distance away from where people can view them, this has resulted in some informal paths being made for people to see what they are. **Recommend they be moved closer to path.**
- Steep steps – some caution signs but generally one direction only. **Recommended caution note to be included in signage at the commencement of entry ways to walking trails.**



Peera (north)	S35 03.834 E138 30.081
Peera (south)	S35 03.883 E138 30.060
Caution Sign	S35 03.909 E138 30.035
Car park entry (Path to Second Ave)	S35 04.138 E138 29.908

	Location Identification: Beach Name: <name of each area> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 3 – Defined Access Sign GPS Location: as above Location Description and Siting: On left hand side at entry point.																				
Hazards and Warnings: <table border="0"> <tr> <td></td> <td>Currents</td> <td></td> <td>Slippery Rocks</td> </tr> <tr> <td></td> <td>Snakes</td> <td></td> <td>Steep Steps</td> </tr> </table> Information: Recommendations include:  Walking Trails < include direction with Arrow > Note: refer grades Regulations: Council to review: <table border="0"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Spearfishing Prohibited</td> <td>No Pets</td> <td>Pick up after your dog</td> <td>Alcohol Prohibited</td> <td>No Bikes</td> <td>No Motor Bikes</td> </tr> </table>			Currents		Slippery Rocks		Snakes		Steep Steps							Spearfishing Prohibited	No Pets	Pick up after your dog	Alcohol Prohibited	No Bikes	No Motor Bikes
	Currents		Slippery Rocks																		
	Snakes		Steep Steps																		
																					
Spearfishing Prohibited	No Pets	Pick up after your dog	Alcohol Prohibited	No Bikes	No Motor Bikes																



Example of signage style and layout only: Please do not replicate content.

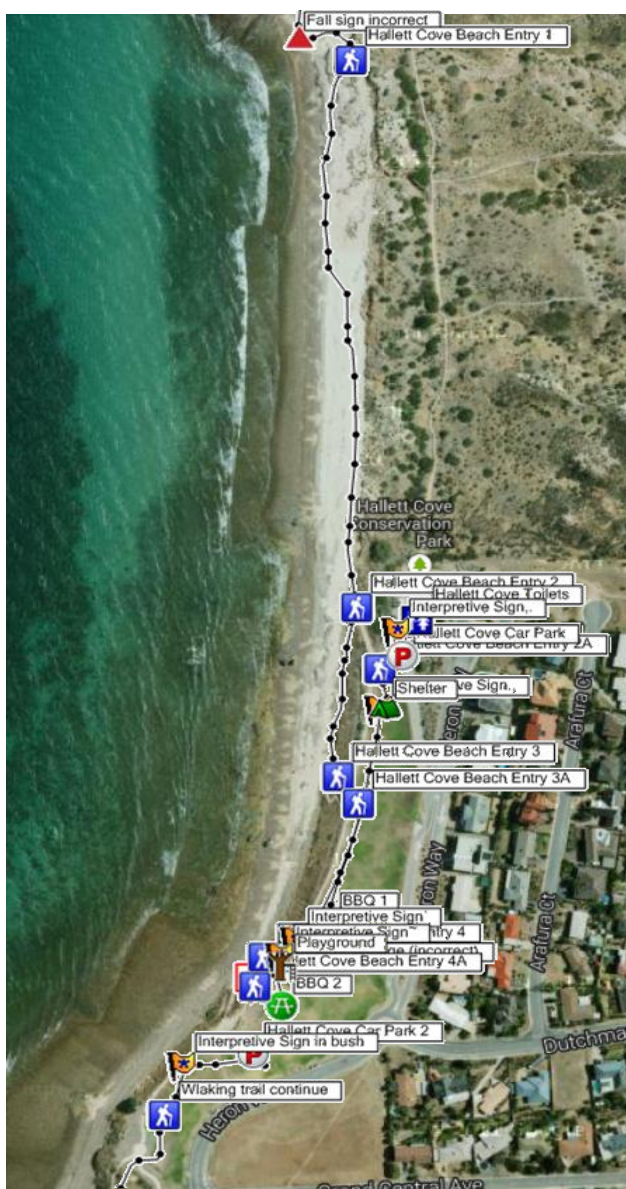
	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: Base of all steps Location Description and Siting: Base of all steps Note: current falling rock sign mounted low on step area – needs to be changed to visible height.
Hazards and Warnings:  Falling Rocks  Slippery Rocks	



Example of signage style and layout only: Please do not replicate content.

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: S35 04.058 E138 29.951 S35 03.902 E138 30.042 Location Description and Siting: Note:
Hazards and Warnings:  Storm Water	

6. Hallett Cove (North Entry, known as Black Cliffs) – Grand Central Ave



Hallett Cove Beach Entry 1	S35 04.498 E138 29.766
Hallett Cove Beach Entry 2	S35 04.724 E138 29.768
Hallett Cove Beach Entry 3	S35 04.793 E138 29.760
Hallett Cove Beach Entry 3A	S35 04.804 E138 29.769
BBQ 1	S35 04.854 E138 29.755
Playground	S35 04.871 E138 29.733
BBQ 2	S35 04.888 E138 29.733
Hallett Cove Beach Entry 4A	S35 04.880 E138 29.721
Hallett Cove Beach Entry 4	S35 04.868 E138 29.725
Example of signage (incorrect)	S35 04.876 E138 29.719
Shelter	S35 04.766 E138 29.782
Hallett Cove Beach Entry 2A	S35 04.749 E138 29.779
Hallett Cove Car Park	S35 04.743 E138 29.790
Hallett Cove Toilets	S35 04.729 E138 29.797
Hallett Cove Car Park 2	S35 04.907 E138 29.720
Interpretive Sign in bush	S35 04.913 E138 29.686
Walking trail cont	S35 04.932 E138 29.678

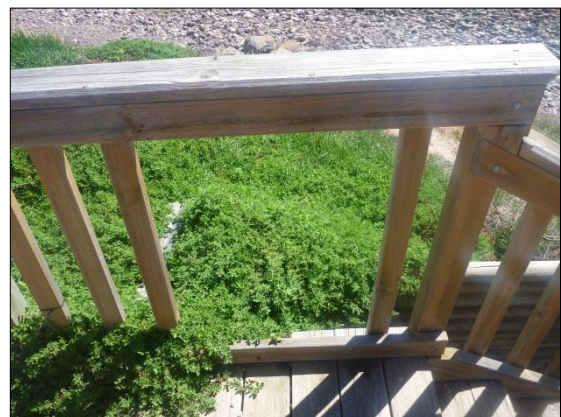
The Hallett Cove area is well developed and defined with:

- Car parking
- Toilets and kiosk facilities
- BBQ's
- Playground area.

Entries lead to the southern end of the Conservation Park (situated northern end of beach) and the walking trail continues to the south of the beach. Notation for this area include:

- A very rocky faced beach, some sand coverage does occur however this is minimal.
- Some signage has been developed however does not meet the current Australian Standards.
- Damage is evident on some access points with rails or water run off impacting on pathways.





Hallett Cove Car Park
Hallett Cove Car Park 2

S35 04.743 E138 29.790
S35 04.907 E138 29.720

	Location Identification: Beach Name: <name to be inserted> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 2 – Car Park Sign GPS Location: As above Location Description and Siting:																											
	Hazards and Warnings: <table border="0"> <tr> <td></td> <td>Unstable Edges</td> <td></td> <td>Currents</td> </tr> <tr> <td></td> <td>Slippery Rocks/Path</td> <td></td> <td>Unstable Cliffs</td> </tr> <tr> <td></td> <td>Snakes</td> <td></td> <td>Submerged Rocks</td> </tr> </table> Information: Recommendations include: <table border="0"> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Public Toilets</td> <td>Keep watch of children</td> <td>Walking Trails < include direction with Arrow > Note: refer grades</td> </tr> </table> Regulations: Council to review: <table border="0"> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Spearfishing Prohibited</td> <td>Dogs Must Be Under Control At All Times</td> <td>Pick up after your dog</td> <td>Alcohol Prohibited 8pm – 8am</td> <td>No Littering</td> </tr> </table>		Unstable Edges		Currents		Slippery Rocks/Path		Unstable Cliffs		Snakes		Submerged Rocks				Public Toilets	Keep watch of children	Walking Trails < include direction with Arrow > Note: refer grades						Spearfishing Prohibited	Dogs Must Be Under Control At All Times	Pick up after your dog	Alcohol Prohibited 8pm – 8am
	Unstable Edges		Currents																									
	Slippery Rocks/Path		Unstable Cliffs																									
	Snakes		Submerged Rocks																									
																												
Public Toilets	Keep watch of children	Walking Trails < include direction with Arrow > Note: refer grades																										
																												
Spearfishing Prohibited	Dogs Must Be Under Control At All Times	Pick up after your dog	Alcohol Prohibited 8pm – 8am	No Littering																								



Example of signage style and layout only: Please do not replicate content.

Hallett Cove Beach Entry 1	S35 04.498 E138 29.766
Hallett Cove Beach Entry 2A	S35 04.749 E138 29.779
Hallett Cove Beach Entry 3A	S35 04.804 E138 29.769
Hallett Cove Beach Entry 4A	S35 04.880 E138 29.721

	Location Identification: Beach Name: <name of each area> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 3 – Defined Access Sign GPS Location: as above Location Description and Siting: On left hand side at entry point.																				
Hazards and Warnings: <table border="0"> <tr> <td data-bbox="240 779 371 902">  </td> <td data-bbox="411 824 587 857">Unstable Edges</td> <td data-bbox="735 779 863 902">  </td> <td data-bbox="943 824 1043 857">Currents</td> </tr> <tr> <td data-bbox="240 902 371 1032">  </td> <td data-bbox="411 947 635 981">Slippery Rocks/Path</td> <td data-bbox="727 902 855 1032">  </td> <td data-bbox="922 947 1123 981">Submerged Rocks</td> </tr> </table> Information: Recommendations include: <table border="0"> <tr> <td data-bbox="331 1234 491 1384">  </td> <td data-bbox="293 1384 525 1417">Keep watch of children</td> <td data-bbox="767 1234 906 1384">  </td> <td data-bbox="675 1406 995 1496"> Walking Trails < include direction with Arrow > Note: refer grades </td> </tr> </table> Regulations: Council to review: <table border="0"> <tr> <td data-bbox="225 1641 352 1771">  </td> <td data-bbox="221 1771 352 1832">Spearfishing Prohibited</td> <td data-bbox="376 1641 504 1771">  </td> <td data-bbox="395 1771 480 1800">No Pets</td> <td data-bbox="536 1641 663 1771">  </td> <td data-bbox="528 1771 660 1832">Pick up after your dog</td> <td data-bbox="695 1641 823 1771">  </td> <td data-bbox="700 1771 810 1861"> Alcohol Prohibited 8pm-8am </td> </tr> </table>			Unstable Edges		Currents		Slippery Rocks/Path		Submerged Rocks		Keep watch of children		Walking Trails < include direction with Arrow > Note: refer grades		Spearfishing Prohibited		No Pets		Pick up after your dog		Alcohol Prohibited 8pm-8am
	Unstable Edges		Currents																		
	Slippery Rocks/Path		Submerged Rocks																		
	Keep watch of children		Walking Trails < include direction with Arrow > Note: refer grades																		
	Spearfishing Prohibited		No Pets		Pick up after your dog		Alcohol Prohibited 8pm-8am														



Example of signage style and layout only. Please do not replicate content.

Hallett Cove Beach Entry 2	S35 04.724 E138 29.768
Hallett Cove Beach Entry 3	S35 04.793 E138 29.760
Hallett Cove Beach Entry 4	S35 04.868 E138 29.725

Note: As walkways are short these signs are suggested only and not an essential requirement as other signs including this information will be provided within a few metres ie 2A, 3A and 4A.

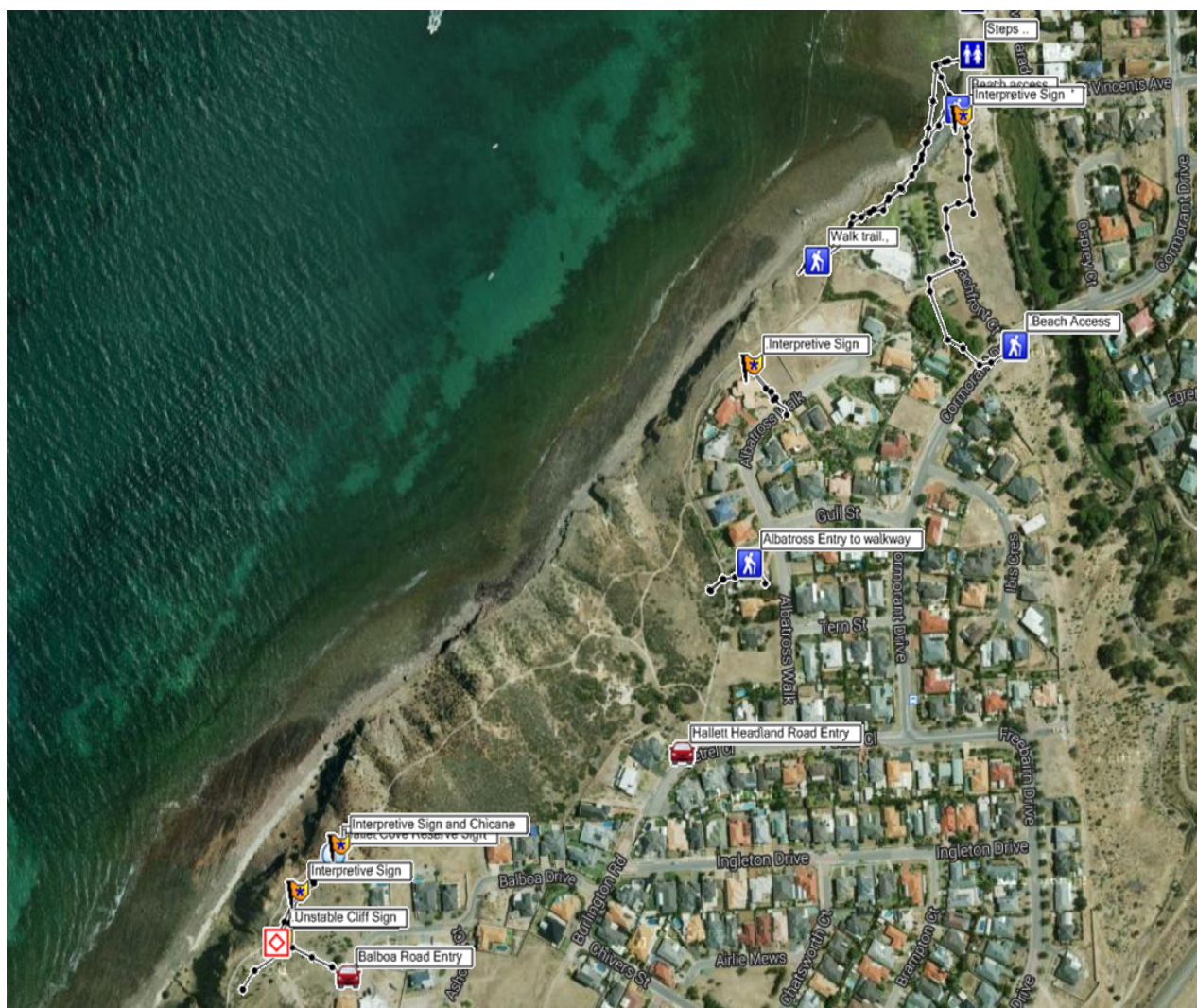
	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: as above Location Description and Siting: Note:
Hazards and Warnings:  Currents  Slippery Surface or Rocks	

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: to replace existing signs (3) Location Description and Siting: Note: to replace existing signs
Hazards and Warnings:  Unstable Edges (or area or ground)	



Example of signage style and layout only: Please do not replicate content.

7. Hallett Cove South (Vincent's Ave) to Balboa Road



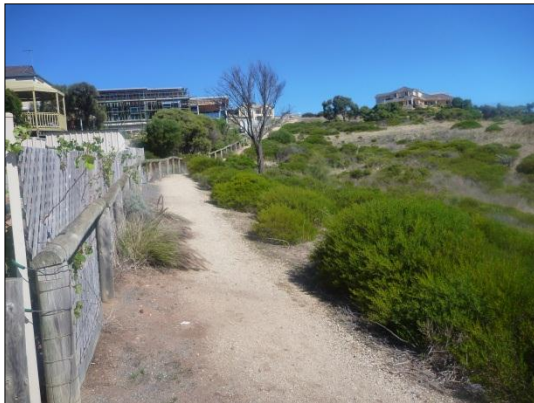
Steps	\$35 05.005 E138 29.649
Beach access	\$35 05.052 E138 29.641
Steps	\$35 05.029 E138 29.649
Walk trail	\$35 05.117 E138 29.559
Beach Access	\$35 05.153 E138 29.674
Albatross Entry to walkway	\$35 05.246 E138 29.519
Hallett Headland Road Entry	\$35 05.327 E138 29.480
Balboa Road Entry	\$35 05.423 E138 29.285
Unstable Cliff Sign	\$35 05.408 E138 29.243
Hallett Cove Reserve Sign	\$35 05.371 E138 29.276
Chicane	\$35 05.368 E138 29.279

The areas south of the Hallett Cove main beach area reverts back to a walking trail, with some rugged areas across the river bed at the southern location with the trail formally resuming some 200m south.

Notations for this area include:

- A very rocky faced beach, some sand coverage does occur however this is minimal.

- Steep gradient resumes south side of river area for walking trail, once getting across a rocky boulder area.
- Some areas note 'unstable cliffs'.



Steps	S35 05.005 E138 29.649
Steps	S35 05.029 E138 29.649
Walk trail	S35 05.117 E138 29.559
Beach Access	S35 05.153 E138 29.674

	Location Identification: Beach Name: <name of each area> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 3 – Defined Access Sign GPS Location: as defined above elsewhere Location Description and Siting: On left hand side at entry point (where possible).
Hazards and Warnings:  Unstable Edges  Currents  Slippery Rocks/Path  Snakes Information: Recommendations include:  Walking Trails < include direction with Arrow > Note: refer grades Regulations: Council to review:  Spearfishing Prohibited  No Pets  Pick up after your dog  Alcohol Prohibited  No Bikes  No Motor Bikes	



Example of signage style and layout only. Please do not replicate content.

Albatross Entry to walkway
Hallett Headland Road Entry
Balboa Road Entry

S35 05.246 E138 29.519
S35 05.327 E138 29.480
S35 05.423 E138 29.285

	Location Identification: Beach Name: <name of each area> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 3 – Defined Access Sign GPS Location: as defined above elsewhere Location Description and Siting: On left hand side at entry point (where possible).
Hazards and Warnings:  Unstable Edges  Snakes  Slippery Rocks/Path Information: Recommendations include:  Walking Trails < include direction with Arrow > Note: refer grades	
Regulations: Council to review:  No Pets  Pick up after your dog  Alcohol Prohibited  No Bikes  No Motor Bikes	



Example of signage style and layout only: Please do not replicate content.

Unstable Cliff Sign Chicane

S35 05.408 E138 29.243
S35 05.368 E138 29.279

	Location Identification: Beach Name: <name> Site Reference: <<Consult with Emergency Services >> to be determined. Include 'In case of emergency dial 000' Sign Type: Level 4 – Individual Hazards Sign GPS Location: as above Location Description and Siting: Note:
Hazards and Warnings:  Slippery Rocks  Unstable Edges	



Example of signage style and layout only; Please do not replicate content.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Pia Vogrin, Public Relations Officer – Events and Craig Clarke, Unit Manager Communications

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: ANZAC Day Eve Youth Vigil

Report Reference: GC091214R06

REPORT OBJECTIVES:

The purpose of this report is to seek Council direction regarding the options presented for the 2015 ANZAC Day Eve Youth Vigil.

EXECUTIVE SUMMARY:

2015 marks the 100th anniversary of the landing at Gallipoli. The immediate past Council expressed interest in exploring options for the City of Marion to celebrate the 100th anniversary at Hallett Cove.

For the past six years, the City of Marion has celebrated ANZAC Day with an ANZAC DAY Eve Youth Vigil at local RSL clubs. Hallett Cove does not have a local RSL.

Next year's vigil coincides with the Lions Club planning to hold a dawn service at Heron Way Reserve, Hallett Cove, where council is constructing a memorial.

Two options have been developed to commemorate the landings. They are:

- **Option 1** - Maintaining the vigil in its current format but adding an entertainment program for a total cost of \$4995, which is within the existing budget.
- **Option 2** - Shifting the vigil to Hallett Cove to create a once-off, seamless event running through the night to the Lions Club dawn service. This option is costed at \$24,846 and is not funded in Councils approved budget.

Option 2 will help activate the newly-constructed memorial site and provide a community focus for the 2015 ANZAC commemorations but will come at additional cost, which is unbudgeted.

RECOMMENDATIONS (1)

DUE DATES

That Council:

April 2015

- 1. Adopts option X to mark the 2015 centenary of ANZAC**

BACKGROUND

ANZAC Day Eve Youth Vigil

Council has worked with local service groups, including the Australian Air Force Cadets, Darlington Scouts, St John Cadets, and Cove Youth Service to hold an ANZAC Day Eve Youth Vigil for the past six years.

The location of the vigil has alternated between Edwardstown and Marion RSL. Last year's event was held at Edwardstown and the ceremony attracted about 300 people.

The vigil starts with an 8.30pm ceremony which includes a speech from the mayor, a guest speaker from the Defence Force, the laying of Tokens of Remembrance, and Last Post.

From 9pm, about 100 young people aged 13 to 18 from service groups stand guard in shifts throughout the night leading up to the ANZAC Day dawn service. Those not on guard duty are based in the RSL clubrooms where food is available and they have access to a kitchen and toilets. Participants are supervised by adults at all times.

Council organises the event with support from service clubs and provides funding to cover marquees, food for participants, and security. In kind support is provided by businesses for other items, including lighting and event programs. The existing budget is \$5000.

Hallett Cove memorial

Work began in November this year on a memorial council is building at Heron Way Reserve on Hallett Cove foreshore. The commemorative space will feature a 13m long stone wall, a 150 sq m garden, paving, two flagpoles, lighting and overlook the coastline, evoking images of ANZAC Cove.

The concept was developed following extensive community consultation as part of the masterplan for the redevelopment of Heron Way Reserve. The memorial will cost \$340,000 and is expected to be completed early next year.

Community event

The Lions Club of Hallett Cove is planning to hold a dawn service at the memorial on Heron Way Reserve on Saturday, 25 April next year.

The club has secured a \$10,000 grant from the Centenary of Federation Fund and is organising infrastructure, including marquees, an audio system and lighting. It is working with other community groups, including Hallett Cove R-12 School, Hallett Cove Rotary and the Vietnam Veterans Association.

Representatives of the club have liaised with council staff about their plans for the event, which include a breakfast for about 1500 people.

DISCUSSION

The 2015 ANZAC Day centenary provides an opportunity to create a community event to mark the occasion.

In addition to the Lions Club dawn service at Hallett Cove, the only official ANZAC commemorations currently planned in the City of Marion are the services at Edwardstown and Marion RSL clubs.

In the lead up to ANZAC Day, a Freedom of Entry march is being planned in the City of Marion on 18 April. The march will also celebrate the opening of an exhibition of wartime

memorabilia at the Marion Cultural Centre, *Marion's Unsung War Heroes*. Both are subject to grant funding.

There is an expectation that the memorial at Hallett Cove will be officially dedicated.

Following last year's youth vigil, service groups expressed interest in participating in an event to mark the centenary. Based on feedback from the groups, discussions with the Lions Club of Hallett Cove and the start of work at the memorial, two options have been developed for the 2015 ANZAC Day Eve Youth Vigil. They are:

Option 1 – Marion RSL

This option is for an event similar to previous years but with the inclusion of a two-hour entertainment program and is within the existing budget of \$5000.

It will be held at Marion RSL, Norfolk Road, Marion and begin with a 30-minute ceremony at 8.30pm. Following the ceremony, young people will stand vigil in shifts leading up to the Dawn Service. Based on previous years, this would attract about 300 people, primarily family, friends and local residents. Only a small amount of infrastructure is required to support the event.

The entertainment program consists of a marquee displaying military memorabilia donated by the local community. It also includes Talking Books – volunteer actors dressed in period uniform, playing the role of a soldier or nurse from World War 1 and a local choir.

The additional activities will create a more engaging event with the aim of attracting up to 500 visitors. Under this option, the memorial at Hallett Cove would be unveiled at the dawn service run by the Lions Club of Hallett Cove.

Total cost: \$4995 (See Appendix A for detailed costs)

Option 2 – Heron Way Reserve with entertainment

This once-off option involves holding the vigil at Heron Way Reserve and incorporates the unveiling of the memorial to create a seamless and significant community event that runs through the night to the Lions Club dawn service.

As with Option 1, it includes a two-hour entertainment program featuring the tent of memorabilia, Talking Books and local choirs. As the reserve is a green-field site, infrastructure will be required to accommodate participants during the night.

A preliminary risk assessment has been conducted with groups involved in the vigil and the Lions Club of Hallett Cove. This has identified the need for traffic management, shelter, and lighting.

The Lions Club of Hallett Cove will be setting up a marquee, audio system and lighting for the dawn service and opportunities would be explored to share these resources if this option is approved.

Given the available space, there are further opportunities for community groups to participate in the event.

This option is expected to attract more than 1000 visitors to the vigil while the combined events could attract up to 2500 visitors to commemorate the ANZAC centenary.

Total cost: \$24,846 (See Appendix B for detailed costs)

Community art project - Illuminart

A Federal Government grant is being sought for a community art project to act as an additional drawcard for the vigil, regardless of the location that is chosen. Illuminart involves the creation of 20 illuminated tents – reminiscent of a World War One campsite – in which images of photographs, drawings and extracts of letters from soldiers are displayed on their sides.

The tents are transportable and can be used at this vigil and future events in the City of Marion.

The project will cost \$25,000 and will be fully funded by the grant. The number of tents built can be adjusted depending on the amount of grant funding received. It is expected council will be notified about the success of the grant application in February next year.

Illuminart is part of a larger grant which council is seeking. An additional \$10,000 is being sought for a range of centenary events which include a Freedom of Entry Parade and the *Marion's Unsung War Heroes* exhibition.

See Appendix C for images of Illuminart.

NEXT STEPS

An extensive communications and engagement campaign will be developed to support the ANZAC Day Eve Youth Vigil. This will include working with local groups in the lead up to the event, promoting it through council's communication channels and local media.

ANALYSIS

Financial analysis

The following table outlines the existing budget for the Youth Vigil, the cost of the various options, the potential gap in funding and options to fund the project:

	Budget	Cost	Gap	Funding options
Option 1	\$5000	\$4095	Nil	None required.
Option 2	\$5000	\$24,846	\$19,846	Unfunded

Community benefit

Shifting the Youth Vigil to Hallett Cove as a once-off event and joining it with the Lions Club dawn service will create a major community focus for the ANZAC commemorations in southern Adelaide. It will help activate the newly-constructed memorial site and allow more people the opportunity to participate in the commemorations over a longer period. This will be the first time that the vigil has been held in council's southern suburbs and will come at a significant cost.

Maintaining the Youth Vigil at the current sites allows for the creation of a smaller event which will still honour the ANZAC legacy and allow community participation.

CONCLUSION

Two options have been selected to commemorate the 100th anniversary of the Gallipoli landings.

The first is consistent with previous year's events but with the addition of an entertainment program. The second option at Heron Way Reserve would create a larger event for the community. Both have differing costs and community participation.

APPENDIX A

Option 1 – Budget

Area	Description	Expense	Notes
Catering			
Catering	SUB TOTAL	\$1,550	
Equipment	Audio Visual	\$227.52	MCC - PA system and technician
	Electrical	\$500.00	Electrician onsite work and equipment
	Lighting towers	In-kind	1 unit in-kind Kennards
	1x3mx3m	\$180.00	AV shelter
	1x3mx6m	\$324.00	Large first aid room and waiting area for youth and cooking / food prep space
	1x3mx6m	\$324.00	Tent of Memorabilia
	BBQ facility	FOC	City of Marion
	Waste	0	City of Marion
	Waste bins recycling	0	City of Marion
	Toilets	0	RSL clubrooms
Equipment	SUB TOTAL	\$1,555.52	
Staffing	City of Marion	-	Adequate staff for supervision and event management
	Security Guards	\$350.00	X1 guards
Staffing	SUB TOTAL	\$350.00	
Entertainment	Marion City Band	FOC	
	School Choir / Choir local	FOC	
	Talking books	\$600.00	3x people costumes and fee for service
Entertainment	SUB TOTAL	\$600.00	
Promotion	Publicity	-	City of Marion in-house
	Marketing Collateral	\$740.00	Development, printing and distribution of flyer and poster
	Advertising	-	Main story – What's Happening Guardian Messenger.
	Web banner	-	In-house
	Social media	-	In-house
	Outdoor banners	\$200.00	Update existing banner
Promotion	SUB TOTAL	\$940.00	
	TOTAL EVENT EXPENSES	\$4995.52	

APPENDIX B

Option 2 – Budget

Area	Description	Expense	Notes
Catering			
Catering	SUB TOTAL	\$1,550	
Equipment	Audio Visual	\$2000.00	PA system and technician suitable for outdoor space
	Electrical	\$2000.00	Electrician onsite work and equipment
	Lighting towers	\$1220.00	X4 \$305/ unit – 4kwatt diesel lighting tower. 1unit inkind
	1x3mx3m	\$180.00	Small first aid room
	1x3mx3m	\$180.00	AV shelter
	2x3mx3m	\$648.00	Large first aid room and waiting area for youth and cooking / food prep space
	1x3mx9m	\$486.00	Tent of Memorabilia
	1x10mx15m	\$1950.00	Main event space
	Flooring for main event space	\$1248.00	Complete floor space covered
	Column heaters	\$270.00	X3 \$90 each
	Urns	\$100.00	X2 \$50 each
	Plastic garden chairs	\$375.00	150 chairs
	Trestles	\$357.00	34x 1.8m (seats 8)
	BBQ facility	FOC	City of Marion
	Waste	0	City of Marion
	Toilets	\$1870.00	X1wheel chair accessible and 6x single units
Equipment	SUB TOTAL	\$12,884	
Staffing	Staff	\$1500.00	Staff supervision , event and traffic management.
	Security Guards	\$750.00	X2 guards
Staffing	SUB TOTAL	\$2,250.00	
Entertainment	Marion City Band	FOC	
	School Choir / Choir local	FOC	
	Talking books	\$600.00	3x people costumes and fee for service
Entertainment	SUB TOTAL	\$600.00	
Promotion	Publicity	-	City of Marion in-house development of media releases and media management
	Marketing Collateral	\$5000.00	Design, printing and distribution of flyers and posters
	Advertising	\$1812.30	2x ¼ page colour display advert in Guardian

			Messenger. The What's Happening advertisements will be free of charge.
	Web banner	-	City of Marion website suitable for responsive format
	Social media	-	In-house
	Outdoor banners	\$800	X2 outdoor vinyl banners
Promotion	SUB TOTAL	\$7612	
	TOTAL EVENT EXPENSES	\$24,846.30	

Note: If this option is approved, council will work with the Lions Club to identify opportunities to share resources.

APPENDIX C

Illuminart – Concept for art installation of 20 illuminated tents featuring local stories and images from World War One.





**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Business

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Elected Member Liaison Roles on External Bodies

Reference No: GC091214R07

REPORT OBJECTIVE AND EXECUTIVE SUMMARY:

Elected Members are involved, as Council liaisons to a range of external bodies which comprise community groups, school councils, management committees etc. These bodies are generally incorporated bodies (and thus legally constituted) that operate separately to Council's operations. Liaison with such external bodies is an important role for Elected Members in that it provides leadership within the community, and helps build the community's capacity and resilience.

With the conduct of the 2014 Local Government Election, Council's nominated representatives to a number of external bodies now require review. Accordingly, the purpose of this report is to highlight the role of Elected Members' liaison on external bodies, and to seek nominations from Elected Members to a range of these bodies.

RECOMMENDATIONS:

RECOMMENDATIONS (3):
That:

DUE DATE

1. Council endorses the nomination of:	9 Dec 2014
2.1 Councillor Nick Kerry to act as Council liaison to the Active Elders Association Incorporated for a period of two years, to be reviewed by January 2017.	
2.2 Councillor Nick Kerry to act as Council liaison to the Clovelly Park Community Centre Committee of Management for a period of two years, to be reviewed by January 2017.	
2.3 Councillor Raelene Telfer to act as Council liaison to the Cosgrove Hall Committee of Management of Management for a period of two years, to be reviewed by January 2017.	
2.4 Councillors Ian Crossland and Nick Westwood to act as Council liaison to the Council on the Ageing (SA) Incorporated for a period of two years, to be reviewed by January 2017.	

- 2.5 Councillor Nick Westwood to act as Council liaison to the Council on the Cove Youth Service for a period of two years, to be reviewed by January 2017.**
- 2.6 Councillor Tim Pfeiffer to act as Council liaison to the Edwardstown Soldiers Memorial recreation Ground Committee of Management for a period of two years, to be reviewed by January 2017.**
- 2.7 Councillor Janet Byram to act as Council liaison to the Friends of the Library for a period of two years, to be reviewed by January 2017.**
- 2.8 Councillor Ian Crossland to act as Council liaison to the Hallett Cove School Council Incorporated for a period of two years, to be reviewed by January 2017.**
- 2.9 Councillor Luke Hutchinson to act as Council liaison to the Hamilton Secondary School Council Incorporated for a period of two years, to be reviewed by January 2017.**
- 2.10 Councillor Tim Gard to act as Council liaison to the Marino Residents Association for a period of two years, to be reviewed by January 2017.**
- 2.11 Councillors Tim Pfeiffer and Nick Westwood to act as Council liaison to the Marion City Band for a period of two years, to be reviewed by January 2017.**
- 2.12 Councillor Raelene Telfer to act as Council liaison to the Mitchell Park Sports Club Incorporated for a period of two years, to be reviewed by January 2017.**
- 2.13 Councillor Jason Veliskou to act as Council liaison to the Morphetville Park Sporting Club Incorporated for a period of two years, to be reviewed by January 2017.**
- 2.14 Councillor Jason Veliskou to act as Council liaison to the Park Holme Community Hall for a period of two years, to be reviewed by January 2017.**
- 2.15 Councillor Jerome Appleby to act as Council liaison to the Plympton Sporting and Recreation Club Incorporated for a period of two years, to be reviewed by January 2017.**
- 2.16 Councillor Jason Veliskou to act as Council liaison to the Red House Group for a period of two years, to be reviewed by January 2017.**
- 2.17 Councillor Janet Byram to act as Council liaison to the Seaview High School Council for a period of two years, to be reviewed by January 2017.**
- 2.18 Councillor Janet Byram to act as Council liaison to the Suneden Special School for a period of two years, to be reviewed by January 2017.**
- 2.19 Councillor Janet Byram to act as Council liaison to the Cove Sports and Community Club Incorporated for a period of two years, to be reviewed by January 2017.**

- 2.20 Councillor Tim Gard to act as Council liaison to the Marino Hall Committee of Management for a period of two years, to be reviewed by January 2017.**
 - 2.21 Councillor Raelene Telfer to act as Council liaison to the Marion Historic Village Project for a period of two years, to be reviewed by January 2017.**
 - 2.22 Councillor Luke Hutchinson to act as Council liaison to The Marion Historical Society Incorporated for a period of two years, to be reviewed by January 2017.**
 - 2.23 Councillor Nick Westwood to act as Council liaison to the Youth Advisory Committee for a period of two years, to be reviewed by January 2017.**
- 3 Administration advises each of the external bodies of their January 2015 nominated Council Liaison.**

BACKGROUND:

The immediate past Council nominated Elected Members in a liaison role to a range of external bodies comprising community groups, school councils, management committees etc. These bodies are generally incorporated (and thus legally constituted) operate separate to Council's operations.

Note that Council's subsidiary the Southern Region Waste Resource Authority (SRWRA) is not considered an external body as it has been established by Council under Section 43 of the *Local Government Act 1999* and is associated with the operations of Council. Furthermore, Committees established by parties such as the State Government that have local government representation arranged via the Local Government Association (e.g. the Volunteer Ministerial Advisory Group or the Dog and Cat Management Board) are not considered external bodies for the purposes of this report.

The liaison roles are structured to assist in communication and exchange of information between the Council and the external body concerned. Elected Members are not appointed as members of the external body and do not have any voting rights when matters are brought before the body for decision.

The liaison approach, rather than a formal appointment to the external bodies has been the preferred method as voting members on external bodies, Elected Members must make decisions on behalf of, and in the best interests of the external body, and not on behalf of, or in the interests of Council. This circumstance has the potential to create a conflict of interest between an individual's role as a City of Marion Elected Member, and their role as a member of the external body.

As non-voting liaison to an external body, an Elected Member can, with the agreement of the external body concerned:

- Act as the point of contact for Council
- Observe and participate in discussions at a meeting of the external body
- Act as an information provider from Council to the external body and vice-versa
- Act as an advisor, mentor and support for the external body;
- Support Council's approach to any matters associated with the external body

DISCUSSION:

Provided at Appendix 1 is a list of identified external bodies together with details of their last known meeting cycle. With the commencement of the new Council, Elected Member liaison roles for these bodies now requires review.

Review Process

The following review process is suggested:

1. Council to review the list of identified external bodies during the 9 December 2014 General Council meeting and note the nominations from Elected Members who are interested in undertaking the role for each body.
2. Administration write to the external bodies identified advising of the nominated liaison and provide their relevant contact details.

Please note: If additional groups / bodies are interested in having a Council liaison then they are welcome to write to Council to request one. Elected Members will be advised of any new requests that are received.

Term of Nominated Liaison Roles

Last term, Elected Member's undertook their nominated liaison roles for a 2-year period, reviewing the nominations half way through the term. Taking this approach again will provide additional leadership opportunities for Elected Members throughout the community, and also additional "listening" opportunities.

Legal / Legislative and Risk Management:

By nominating Elected Members in liaison roles rather than making formal appointments to the various external bodies that exist within the City of Marion, indemnity and conflict of interest risks for individual Elected Members are mitigated. Taking this approach has also been commended by the Local Government Association Mutual Liability Scheme, and has been cited as a best practice risk management strategy.

Financial Implications:

Elected Member costs associated with travel to and from attendance at meetings of external bodies in a liaison role is a bona fide expense under the Local Government Act.

Accordingly, provision is made on an ongoing basis in the budget for Elected Member expenses for such attendance.

CONCLUSION:

Elected Member involvement as Council liaisons to a range of external bodies comprising community groups, school councils and management committees provide an ideal opportunity not only for leadership within the community and helping to build community capacity and resilience, but also the opportunity to hear the views of the community on many and varied topics.

APPENDIX 1**Council Liaison to External Bodies**

	External Body	Meeting Cycle	Elected Member Nomination
1.	Active Elders Association Inc	As required	Cr Nick Kerry
2.	Clovelly Park Community Centre Committee of Management	Monthly last Thursday at 7.00pm	Cr Nick Kerry
3.	Cosgrove Hall Committee of Management	Monthly 2 nd Thurs at 7.30pm	Cr Raelene Telfer
4.	Council on the Ageing (COTA)	As required	Cr Ian Crossland Cr Nick Westwood
5.	Cove Youth Service	As required	Cr Nick Westwood
6.	Edwardstown Soldiers Memorial Recreation Ground Committee of Management	Bi-monthly 4 th Mon at 7.30pm at the Memorial Hall, Edwardstown	Cr Tim Pfeiffer
7.	Friends of the Library	1 st Monday of the month 2-3pm Rotate venue between libraries	Cr Janet Byram
8.	Hallett Cove School Council Inc	Tues in weeks 4 and 8 of each term at 7.30pm at School Staff Room	Cr Ian Crossland
9.	Hamilton Secondary School Council Inc	Monthly 2 nd Tues at 7.30pm at School Staff Room	Cr Luke Hutchinson
10.	Marino Residents Association	As required	Cr Tim Gard
11.	Marion City Band	Monthly 2 nd Mon at 7.45pm at Glandore Community Centre	Cr Tim Pfeiffer Cr Nick Westwood

12.	Mitchell Park Sports & Community Club Inc	Monthly 3 rd Thurs at 7.30pm at Mitchell Park Community Hall	Cr Raelene Telfer
13.	Morphettville Park Sporting Club Inc	Monthly 2 nd Mon month at 7.00pm at Clubrooms	Cr Jason Veliskou
14.	Park Holme Community Hall	As advised at 686 Marion Road	Cr Jason Veliskou
15.	Plympton Sporting and Recreation Club Inc	Monthly 2 nd Tues at 7.00pm at the Clubrooms	Cr Jerome Appleby
16.	Red House Group	Monthly 2 nd Wed	Cr Jason Veliskou
17.	Seaview High School Council Inc	Monthly 2 nd Wed during school term at Seacombe Campus	Cr Janet Byram
18.	Suneden Special School	Monthly 3 rd Tues at 7.30pm at the centre	Cr Janet Byram
19.	The Cove Sports and Community Club Inc	New board recently appointed - TBC	Cr Janet Byram
20.	The Marino Hall Committee of Management	Bi-monthly 3 rd Wed at 7pm at the Hall	Cr Tim Gard
21.	The Marion Historic Village Project	4 th Thursday of the month at 3pm (summer) or 2pm (winter) Marion Historic Village Display Centre (1 Township Road, Marion)	Cr Raelene Telfer
22.	The Marion Historical Society Inc	3 rd Wed of the month at 7.30pm at Cooina	Cr Luke Hutchinson
23.	Youth Advisory Committee (YAC)	Fortnightly on Wednesday 5 – 8pm Council Administration (TBC in Jan)	Cr Nick Westwood

**CITY OF MARION
GENERAL COUNCIL MEETING
9 DECEMBER 2014**

Originating Officer: Ray Barnwell, Manager Finance
Director: Vincent Mifsud
Subject: Pensioner Concessions
Report Reference: GC091214R08

REPORT OBJECTIVES:

To seek direction from Council regarding participating in a Local Government Association campaign about pensioner concessions, given the decision of the Federal Government to cut funding to the State Government on certain pensioner concessions and senior card holders and the inability of the State Government to fulfil this gap in funding beyond June 2015.

EXECUTIVE SUMMARY:

The Local Government Association (LGA) has written to Council seeking the cooperation of all councils to participate in a State-wide campaign in light of the significant impact this will have on our communities particularly pensioners, self-funded retirees and the wider community.

The Local Government Association has prepared a campaign detailed within the report and has written to the State and Federal Government to request the reinstatement of pensioner concessions on Council rates and reinstatement of funding respectively.

The campaign strategy is being finalised by the LGA and further details will be provided to Council. It envisages providing model resources, such as wording for inserts, pro-forma petitions and media releases to Councils for each of the proposed elements in this campaign.

Further discussion / advice will be provided at the Council meeting to explain the impact to the City of Marion of this Government decision.

RECOMMENDATIONS**DUE DATES**

That Council consider the following recommended resolutions from the Local Government Association:

1. Will not replace the withdrawn Federal and State Government funding for pensioner concession.	9 Dec 14
2. Agrees to participate in the LGA's campaign to seek reinstatement of the concessions.	9 Dec 14
3. Agrees to insert a flyer in the next quarterly Council rates notice alerting ratepayers to the "Bill Shock" of the impact of removal of pensioner concessions on rates.	9 Dec 14

BACKGROUND:

Within South Australia, the State Government has provided pensioners with a maximum concession of \$190 (\$100 for self-funded retirees) on Council rates within any financial year.

This funding has been supported through a Federal Agreement (the *National Partnership Agreement on Certain Concession Card and Senior Card Holders*) which provided funding to the State Government to enable concessions to be paid to part pension concession holders on utilities, water and Council rates.

Specifically for South Australia, the Agreement provided approximately \$27.7 million in funding for the 2013/2014 financial year to cover all concessions to part pensioners.

Earlier this year the Commonwealth Government made a decision to cut the Federal Agreement on certain concessions for pensioner concession card and Senior Card Holders.

The State Government agreed to fill this funding gap for the 2014/2015 financial year, however in its 2014/2015 Budget the State Government announced that concessions on Council rates would cease as of June 2015.

Despite the Federal Agreement providing funding for part pensioners across various taxes and utility charges, the State Government decision will pass cuts entirely onto Council rate concession recipients from next year imposing significant hardship on pensioners and self-funded retirees.

ANALYSIS:

Impact upon the City of Marion – Pensioners and Self-funded retiree's

The City of Marion has;

Category	Number	\$	Total
Pensioners	7,411	\$190 each	\$1,408,090
Self-funded retirees	939	\$100 each	\$93,000
Total	8,350	\$290	\$1,501,990

The funding for pensioner concessions received from the State Government is a total of \$1.5m and 21.5% of our ratepayers receive these concessions.

The specific cost impost on each pensioner concession entitlement will vary across the Council area (and collectively other Councils); however by way of example the average impact on a pensioner rate payer will be approximately 20.7% .

The average City of Marion Council rates for 2014/15 are approximately \$1,319 and therefore a pensioner receiving the \$190 concession paid, on average, net rates of \$1,129 this year.

When pensioners lose this concession, and also factoring in the impact of the annual Local Government Price Index, (2.6% based on 2013/14), the total increase for pensioners may be in the order of \$224 or an increase of approximately 19.8%.

Qualification of pensioner concessions

Historically rate payers may be eligible for a pensioner concession on Council rates if they own or part-own their principal place of residence on the date that the first Council rates

account is payable for that financial year and responsible for paying the rates on that property. Also, they must have one of the following cards:

- a Pensioner Concession Card;
- Gold Card from the Department of Veterans' Affairs;
 - o Totally and Permanently Incapacitated (TPI);
 - o Extreme Disablement Adjustment (EDA);
 - o War Widow;
- Gold Card from the Department of Veterans' Affairs issued to a person with 80 or more overall impairment points under the *Military Rehabilitation and Compensation Act 2004*;
- Seniors Card; and/or
- State Concession Card.

Local Government Association Advice

In light of the significant impact to pensioners and the wider community and the lack of commitment by the State and Federal Government, a LGA Board meeting on 20 November 2014 resolved:

That the LGA Board:

- 1. authorises the LGA President and CEO to continue to lobby the State Treasurer and relevant Minister to reinstate the pensioner concession on Council rates;*
- 2. authorises the President to write to all Councils advising that the LGA's position is not to support Councils funding pensioner or self-funded retiree concessions;*
- 3. authorises the Executive Committee to work with the Secretariat on a campaign to support Councils in their discussions with the community and local MPs on the matter of pensioner and self-funded retiree concessions; and*
- 4. establish a Local Government policy position in consultation with Councils on the removal of pensioner/self-funded retirees concession from Council rates from the 2015 budget.*

Pursuant to this decision, the LGA is now seeking the co-operation of all Councils to participate in a State-wide concerted campaign on this issue.

The LGA also advises that to date:

- the President has again written to the State Government to request the reinstatement of pensioner concessions on Council rates;
- the President has written to the Commonwealth seeking the reinstatement of the Agreement;
- the Secretariat has provided all Councils with a draft pro-forma letter to be sent to Local Federal Members of Parliament and relevant Ministers seeking the reinstatement of the Agreement.

The campaign strategy is being finalised and further details will be provided to Council.

The LGA envisages providing model resources, such as wording for inserts, pro-forma petitions and media releases to Councils for each of the proposed elements in this campaign.

The LGA is continuing to have ongoing discussions with the Minister for Local Government, the Hon Geoff Brock, and Treasurer, the Hon Tom Koutsantonis.

CONCLUSION:

An advocacy approach is supported for those City of Marion pensioners and self-funded retirees currently entitled to these concessions.

**CITY OF MARION
GENERAL COUNCIL MEETING
09 DECEMBER 2014**

Originating Officer: Kate McKenzie, Manager Governance
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Spending On Future Naval Fleet of Ships and Submarines
Report Reference: GC091214R09

REPORT OBJECTIVES:

To seek approval to contact Federal and State Government members and urge them to call for an open competitive tender that will support local jobs regarding the construction of naval ships and submarines in South Australia.

EXECUTIVE SUMMARY:

Correspondence has been received from The Hon Martin Hamilton-Smith MP dated 14 November 2014, drawing attention to how the Federal Government will spend \$250 billion of Australian tax payer's money on our future naval fleet of ships and submarines.

Independent analysis of a South Australian Economic Development Board Study has shown that the potential impact of the construction of naval ships and submarines not being undertaken in South Australia will effect at least 25 Councils, with significant effects upon communities, businesses and families. Analysis of the study has estimated the fiscal impact (over 40 years) to the City of Marion will equate to \$275 million (upon gross regional product) and 136 jobs (refer Appendix one).

RECOMMENDATION (1)

DUE DATES

That :

- 1. Council write to Federal and State Government members urging them to call for an open, competitive tender and to support local jobs regarding the construction of naval ships and submarines in South Australia.**

9 Dec 14

Appendix 1 – Letter to Mayor Hanna from The Hon. Martin Hamilton-Smith MP



Government
of South Australia

The Hon Martin
Hamilton-Smith MP

14MDI/114



Lord Mayor Kris Hanna
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Dear Lord Mayor ~~Mayo~~ ^{Kris} Hanna

I write to draw your attention to a vital issue for the State and also to your Council, for your rate payers and every family, worker and business in your district.

The Federal Government is currently making decisions in regard to how they will spend \$250 billion of Australian tax payer's money over the next 30 years on our future naval fleet of ships and submarines. The South Australian Government is strongly advocating that this money is spend building these in Australia, providing Australian workers and businesses with opportunities rather than spending this money overseas, building skills and investment in other countries.

The South Australian Government commissioned the South Australian Economic Development Board to undertake a study which outlined the effect of this decision on the South Australian economy. The report included more granular information regarding the effect on local council regions, including which will be hardest hit if our future submarines are built overseas.

The independent analysis was compiled by the National Institute of Economic and Industry Research and assesses the economic ramifications of purchasing 12 next generation submarines overseas to replace the existing Collins class vessels as compared to building the submarines in Australia with a foreign design partner.

The report concludes that there would be no difference in the price for the submarines if they were built overseas as compared to being built in Australia. However if the Federal Government opted to build the submarines overseas, there would be a negative impact of \$21 billion on Australian GDP over the 40-year life of the project.

(...2)

Minister for Investment & Trade
Minister for Defence Industries
Minister for Veterans' Affairs

Level 13, 200 Victoria Square Adelaide SA 5000 | PO Box 11032 Adelaide SA 5001 | DX 168 Adelaide
Tel 08 8226 8520 | Fax 08 8226 8444 | minister.hamilton-smith@sa.gov.au



(2)

This expert modelling has been used to pin point the real winners and losers when comparing domestic or overseas build scenarios. The report provides a clear breakdown of the cash and jobs implications that this decision would have on local council regions throughout Australia.

In regards to the City of Marion, the study estimates the impact on gross regional product over 40 years will be approximately \$275 million, and the impact on employment of residents over 40 years will be approximately 136 jobs.

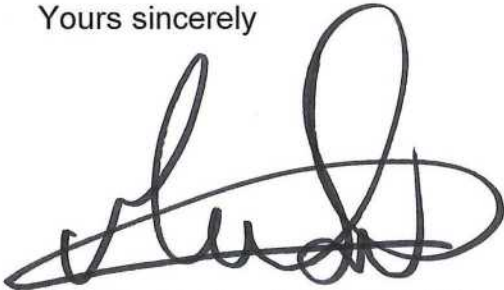
The data and the report in this matter are attached as Enclosure 1.

If South Australia loses the submarine building and sustainment contracts, it will have a devastating economic effect on at least 25 Councils and ripple effects on other communities, businesses and families.

This is an issue which should concern all South Australians. It crosses political and social boundaries.

I encourage every community leader to contact their Federal and State Government members and urge them to call for an open competitive tender and to support local jobs.

Yours sincerely



Hon Martin Hamilton-Smith MP
Minister for Investment and Trade

14/11 / 2014

encl. Data and report

SCANNED

Minister for Investment & Trade
Minister for Defence Industries
Minister for Veterans' Affairs

Level 13, 200 Victoria Square Adelaide SA 5000 | PO Box 11032 Adelaide SA 5001 | DX 168 Adelaide
Tel 08 8226 8520 | Fax 08 8226 8444 | minister.hamilton-smith@sa.gov.au



	Impact on Gross Regional Product 2014 \$million	Impact on Employment of Residents Job-years 40 years	Impact on Employment of Residents (average extra jobs over 40 years) Jobs 40
Adelaide (C)	2,837	1,583	40
Adelaide Hills (DC)	75	2,285	57
Alexandrina (DC)	17	480	12
Anangu Pitjantjatjara (AC)	0	6	0
Barossa (DC)	22	695	17
Barunga West (DC)	1	8	0
Berri and Barmera (DC)	3	30	1
Burnside (C)	266	2,931	73
Campbelltown (C)	12	220	5
Ceduna (DC)	1	11	0
Charles Sturt (C)	541	10,303	258
Clare and Gilbert Valleys (DC)	4	49	1
Cleve (DC)	1	7	0
Coober Pedy (DC)	0	3	0
Copper Coast (DC)	5	71	2
Elliston (DC)	1	5	0
Flinders Ranges (DC)	1	6	0
Franklin Harbour (DC)	0	5	0
Gawler (T)	57	1,463	37
Goyder (DC)	2	19	0
Grant (DC)	2	21	1
Holdfast Bay (C)	111	2,481	62
Kangaroo Island (DC)	2	21	1
Karoonda East Murray (DC)	1	9	0
Kimba (DC)	1	3	0
Kingston (DC)	1	6	0
Wudinna (DC)	1	2	0
Light (RegC)	14	567	14
Lower Eyre Peninsula (DC)	2	14	0
Loxton Waikerie (DC)	4	35	1
Mallala (DC)	8	730	18
Maralinga Tjarutja (AC)	-	0	0
Marion (C)	276	5,449	136
Mid Murray (DC)	3	60	2
Mitcham (C)	235	4,045	101
Mount Barker (DC)	51	1,437	36
Mount Gambier (C)	6	67	2
Mount Remarkable (DC)	1	6	0
Murray Bridge (RC)	9	145	4
Naracoorte and Lucindale (DC)	3	23	1
Northern Areas (DC)	2	14	0
Norwood Payneham St Peters (C)	468	2,713	68
Onkaparinga (C)	265	8,588	215
Orroroo/Carrieton (DC)	1	5	0
Peterborough (DC)	0	3	0
Playford (C)	213	5,730	143
Port Adelaide Enfield (C)	5,183	14,753	369
Port Augusta (C)	6	40	1
Port Lincoln (C)	6	47	1
Port Pirie City and Dists (M)	3	46	1
Prospect (C)	115	2,054	51
Renmark Paringa (DC)	3	33	1
Robe (DC)	1	5	0
Roxby Downs (M)	0	26	1
Salisbury (C)	432	10,935	273
Southern Mallee (DC)	1	8	0
Streaky Bay (DC)	1	7	0
Tatiara (DC)	3	21	1
Tea Tree Gully (C)	244	8,503	213
The Coorong (DC)	3	23	1
Tumby Bay (DC)	1	5	0
Unley (C)	468	2,944	74
Victor Harbor (C)	11	145	4
Wakefield (DC)	4	49	1
Walkerville (M)	14	265	7
Wattle Range (DC)	4	27	1
West Torrens (C)	388	4,256	106
Whyalla (C)	3	16	0
Yankalilla (DC)	3	52	1
Yorke Peninsula (DC)	4	43	1
Unincorporated SA	9	17	0
Total for SA	12,438	96,621	2,416

SCANNED

**CITY OF MARION
GENERAL COUNCIL MEETING
9 DECEMBER 2014**

Originating Officer: Victoria Moritz, Governance Officer

Director: Kathy Jarrett

Corporate Manager: Kate McKenzie, Manager Governance

Subject: Nominations Sought for the South Australian Local Government Grants Commission

Reference No: GC091214R10

REPORT OBJECTIVE:

The purpose of this report is to determine if Council wish to submit any nominations in response to the Local Government Association of SA (LGA) call for a Local Government Member on the South Australian Local Government Grants Commission.

The call for nominations is at the request of the Minister for Local Government. Appointments to the Council are for a period of up to five years.

Nominations must be forwarded to the LGA by close of business 12 January 2015.

Councillors Nick Kerry and Luke Hutchinson have expressed their interest in being nominated to the South Australian Local Government Grants Commission.

RECOMMENDATIONS (3)

DUE DATES

That Council:

1. Notes the report <i>Nominations Sought for the South Australian Local Government Grants Commission</i> Report Reference GC091214R10	9 Dec 2014
2. Nominates Councillor _____ and Councillor _____ to the LGA for consideration as the Local Government Member on the South Australian Local Government Grants Commission	9 Dec 2014
3. Administration forwards the above nomination/s to the Local Government Association by 12 January 2015.	12 Jan 2014

BACKGROUND / ANALYSIS

The South Australian Local Government Grants Commission is formed pursuant to the *South Australian Local Government Grants Commission Act 1992*.

Under this Act, the functions of the Commission are:

- (1) The functions of the Commission are as follows:
 - (a) to make recommendations to the Minister as to the amounts that should be paid to councils by way of grants under this Act;
 - (b) to perform other functions assigned to the Commission by or under this Act or by the Minister.
- (2) The Commission will have the power to do all things necessary or expedient for the efficient and proper performance of the Commission's functions.

The primary purpose of the Commission is to recommend the allocation of Federal untied grants to South Australian Councils.

Appointments to the South Australian Grants Commission are for a period of up to five years. The Commission meets on a monthly basis and as at February 2014, sitting fees were in the vicinity of \$13,570 per annum.

The LGA is currently represented by former Mayor Richard Vickery whose term will expire on 31 January 2015.

Nominations addressing the Selection Criteria provided in **Appendix 1** must be forwarded to the LGA by a Council using the attached form (**Appendix 2**) by close of business on 12 January 2015.

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board or Executive Committee, be currently serving Council Members or Council Staff.

The LGA Board will consider nominations received at its meeting on Thursday 29 January 2015.

CONCLUSION:

If Council wish to submit a nomination to the LGA for the South Australian Local Government Grants Commission, all appropriate documentation will be forwarded to the LGA by 12 January 2015.

Appendix 1 – Selection criteria
Appendix 2 - Nomination form

Representatives on Outside Bodies



PART A

Name of Body	South Australian Local Government Grants Commission (SALGGC)
Legal Status of Body	Statutory Authority
Summary Statement	The SALGGC makes recommendations to the Minister for State/Local Government Relations on the distribution of untied Commonwealth Financial Assistance Grants to South Australian Local Government authorities in accordance with State and Federal legislative requirements.

SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES

The following selection criteria must be addressed when completing Part B

Qualifications Required <i>(formal qualifications relevant to the appointment)</i>	Nil.
Industry Experience	• An understanding of the concept of horizontal fiscal equalisation and factors for consideration in determining appropriate methodologies to promote horizontal fiscal equalisation between Councils is desirable. • Highly developed knowledge of Local Government issues, processes and activities and the nature of the distinction in revenue raising capacity and expenditure needs between Councils is desirable. • An understanding of public finance and the different challenges Councils face in delivering services is desirable.
Board / Committee Experience	Relevant experience serving on high level intergovernmental boards or committees and funding allocation bodies is highly desirable.
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Nil.

LIABILITY AND INDEMNITY COVER

The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)

Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are Valid & Current	Yes

Nominations to Outside Bodies



PART B: This form must be completed by Council electronically and emailed as a word document to:

lisa.colquhoun@lga.sa.gov.au

(Nominee's details must not exceed this single page)

Name of Body: South Australian Local Government Grants Commission (SALGGC)

Council Name:			
Full Name of Nominee:			
Position/Title:			
Address:			
Work Phone:		Facsimile:	
A/H Phone:		Mobile:	
Email:			
1. <u>Summary of relevant skills, knowledge and/or experience</u>			
2. <u>Other comments in relation to this role</u>			

DO NOT EXCEED ONE PAGE

An email confirming receipt of your nomination will be forwarded

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Review of Confidential Orders 2014 - Overview
Report Reference: GC091214R11

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

Section 90 of the *Local Government Act 1999* (the Act) prescribes matters which Council may consider in confidence where it considers it necessary and appropriate to do so.

Section 91 of the Act enables a Council to order that documents or part of a document relating to matters considered in confidence be kept confidential. Where Council makes such an order it must specify the duration of the order, or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

Any order that operates for a period exceeding 12 months must be reviewed at least once a year to determine whether or not the confidentiality of the document needs to be retained.

This report provides an overview of all confidential orders to be reviewed, and has been written to enable Council to:

- review the confidentiality orders pertaining to identified documents as required by Section 91 of the Act; and
- consider whether it is appropriate for the confidentiality orders to be retained; and if so:
 - determine the appropriate period of time for the maintenance of confidential orders to ensure Council continues to adhere to both the confidentiality provisions within the Act and the principles of open government.
 - to consider whether new orders are required on documents where the orders are due to expire.

RECOMMENDATIONS (1)

DUE DATES

- 1. That Council notes the report, 'Review of Confidential Orders 2014 - Overview'.**

9 Dec 14

BACKGROUND

In accordance with Section 90 of the *Local Government Act 1999* (the Act) Council has, from time to time, made orders restricting public access to information. Council has also made orders pursuant to Section 91 of the Act to retain the confidentiality of certain documents and information.

At the December 2003 meeting of Council, the Management of Confidential Items Framework was endorsed. This framework included ensuring all confidentiality orders made by Council or a Council Committee are referred to the December meeting of Council each year for review, except where the Chief Executive has reviewed and revoked confidential orders in accordance with his delegation. Appendix 1 details all Confidential Orders requiring review and recommendations on retaining the orders or otherwise.

ANALYSIS:

Current Review

One hundred and thirty one (131) confidential orders have been identified for review. Reports relating to each of these orders are included in the agenda (Reports GC091214R11 – (1) to GC091214R11 – (70)).

The reports are listed in the attached table (Appendix 1) by recommendation (i.e. release, retain or consider), then the grounds for confidentiality, the subject and finally by date.

Given the number of items for consideration, Council may wish to consider items “en bloc” where appropriate.

In determining whether or not a document should continue to remain confidential Council must consider whether the ground/s (in s90(3) of the Act) on which the original order was made, are still applicable. For example:

- Does Council still have a duty of confidence, or other legal obligation or duty?
- Does the document contain commercial information that the disclosure of which would on balance be contrary to the public interest?
- Does the document relate to a tender for goods or services?
- Does the document relate to matters affecting the security of the council, members or employees, or council property, or safety of any person?
- Does the document relate to litigation, or possible litigation, involving the council or a council employee?
- Does the document relate to a proposed amendment in a Development Plan that has not yet been released for public consultation under the *Development Act 1993*?
- Does the document contain legal advice that is still necessary and appropriate to be kept confidential?
- Does the information concern the personal affairs of an individual (living or dead), the disclosure of which would still be unreasonable? Council might like to also take into account the views of the person to whom the matter relates. Where the person has no objection to the matter being released to the public, it may be consistent with the

principles of open government, as well as the *Freedom of Information Act 1991* to release the information.

Should the confidentiality orders be retained or new orders created, then the orders will be referred to the December 2015 meeting of Council for review, unless an alternative date or event has been resolved by Council, or Council delegates the power to review or revoke the order to the Chief Executive Officer.

Any confidential orders that are revoked will be released and made available to the public immediately upon revocation.

If Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3) of the *Local Government Act 1999* given the current confidentiality orders are still in force.

Analysis of Confidentiality Orders

During the preparation of this Report, an analysis of the types of confidential matters considered by Council was undertaken and the results are detailed below:

Currently, there are 131 reports with confidentiality orders. The table below summarises the grounds on which the 131 reports have been considered in confidence in accordance with the *Local government Act 1999*.

Number *	Grounds for Confidentiality	LG Act Section
80	Personal information	90(3)(a)
44	Commercial information/duty of confidence	90(3)(b), (d) and/or (g)
3	Security of Council Property	90(3)(e)
8	Legal advice	90(3)(h)
10	Tenders for supply	90(3)(k)

* Note that one item may have more than one ground for confidentiality.

A number of the major projects Council is involved in are longer term projects which necessitate the retention of confidentiality orders until the matters associated with the projects are no longer commercial in nature.

CONCLUSION:

In order to ensure the principles of open, accessible and accountable governance and compliance with the provisions of the Act, Council must undertake an annual review of its confidentiality orders and resolve to maintain, release or release in part, reports that have been considered in confidence.

Appendix 1 – Schedule of Confidential Items to be reviewed.

SCHEDULE OF CONFIDENTIAL ITEMS 2003 - 2014

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
1.	Review of Confidential Items 2003 GC161203F02	The Report related to the review of 3 confidential items: <i>Development Assessment Panel (DAP) GC270503F101</i> ; <i>State Aquatic Centre (GC260803F01)</i> and <i>State Aquatic Centre (GC281003F01)</i> , and attached copies of the original confidential reports to be reviewed.	Personal information Commercial information Duty of confidence	YES
2.	Acquisition of land for Drainage Reserve - 40a Jervois Terrace Marino, Certificate of Title Volume 6074 Folio 152 Ref No: GC100712F01 File No: 16.2.3.1	Report relates to the acquisition of land for Drainage Reserve - 40a Jervois Terrace Marino,	Commercial Information	YES
3.	Internal Audit Report – Enterprise Bargaining Calculations Ref No: AC100810F02 File No: 12.44.2.1	The Report contains legal advice in relation to the Enterprise Bargaining Calculations.	Legal Advice	YES

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
4.	External Audit Tender, AC011211F6.1	Relates to a tender for the provision of services	Commercial information	YES

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
5.	Cove Sports and Community Club Inc CC140605R07 Appendix 2 only to be confidential	The Appendix comprised the April Activity Report of the Cove Sports and Community Club (the Club) and was considered to contain commercial information that if disclosed, could reasonably be expected to prejudice the commercial position of the person who supplied the information.	Commercial information	NO
6.	Lease and Operation of Marion Leisure and Fitness Centre GC280904F01	The Report sought to formalise an Agreement for the lease and operation of the Marion Leisure and Fitness Centre with the preferred tenderer and provided, at Appendix 1, details of the tenders received.	Commercial information Relating to tenders for supply	NO
7.	Provision of Advertising on Bus Shelters to City of Marion GC270207F01	Commercial arrangements associated with advertising on City of Marion bus shelters	Commercial information	NO
8.	Abbeyfield GC260509F02	The report contains information relating to the Abbeyfield House Marion that is of a commercial nature and Council has a duty to keep confidential	Commercial information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
9.	Program Evaluation and Business Improvement Service Provisions Ref No: AC020610F01 File No: 9.14.1.4	Relates to a tender for the provision of services	Commercial information	NO
10.	Program Evaluation and Business Improvement Service Provisions Ref No: AC100810F01 File No: 9.14.1.4	Relates to a tender for the provision of services	Commercial information	NO
11.	Program Evaluation and Business Improvement Service Provision Reference No: GC240810F02 File No: 9.14.1.4	Relates to a tender for the provision of services	Commercial information	NO
12.	Payroll Services & 6 th Ranking Process Ref No: AC011211F6.2	Report relates to a review of Payroll Services & the 6 th Ranking Process for staff wages.	Commercial Information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
13.	External Audit – Tender For Services AC070212F6.1	Report contained information relating to the tender for the provision of external audit services.	Commercial Information	NO
14.	Kerbside Waste Collection Contract Ref No: GC120612F01 File No: 5.21.2.2	Report relates to the Kerbside Waste Collection Contract	Commercial Information	NO
15.	Commercial Arrangements Ref No: GC240112F01 File No: 16.21.3.52	Signatures Café – recommending lease but then this was not progressed	Commercial Information	NO
16.	Commercial Arrangements Ref No: GC240712F01 File No: 16.21.3.52	Signatures Café – recommending lease but then this was not progressed	Commercial Information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
17.	Public Trustee Land – Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 GC290113F02	Report contains information relating the acquisition of land associated with the Glandore Laneways.	Commercial information	NO
18.	Service Review Project Report – Marion Swimming Centre AC120213F01	Marion Swimming Centre service review and recommendations	Commercial information Security of Council, members or employees of Council, or Council property	NO
19.	Oaklands Wetland Project – Cost Estimate Reference No: GC140812F01 File No: 4.65.1.180	Relates to the Oaklands Wetland Project cost estimate	Commercial Information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
20.	Oaklands Wetland – Award of Construction Reference No:GC131112F01	Report relates to the Award of Construction for the Oaklands Wetland.	Commercial information Relating to tenders for supply	NO
21.	City Services Redevelopment AC140313F01	Report relates to the City Services Redevelopment	Commercial and tender information	NO
22.	Draft Confidential Minutes from 14 March 2013 Audit Committee Meeting GC260313F01	Report relates to the City Services Redevelopment	Commercial and tender information	NO
23.	City Services Redevelopment GC260313F03 SGC020413 SGC090413	Report relates to the City Services Redevelopment	Commercial and tender information	NO
24.	City Services Redevelopment Award of Construction Tender SGC190814F01	Report relates to the City Services Redevelopment	Commercial information Relating to tenders for supply	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
25.	Hallett Cove Library and Community Centre Award of Construction Tender GC270813F02	Report relates to the award of Construction Tender for the Hallett Cove Library and Community Centre	Commercial and tender information	NO
26.	Consultants Details GC101213F01	Report outlining various legal costs of individual legal firms	Commercial information	NO
27.	Kerbside Waste & Recycling Collection Contract 2005 SGC210605F01	The report outlined details of a proposed kerbside waste and recycling contract and was considered confidential on the basis that Council was undertaking a tender process for the provision of services	Tender processes	NO
28.	Internal Audit Project Report – Accounts Payable AC040609F01	The Appendix to the Report is a copy of the Report prepared by Ernst & Young regarding 'Accounts Payable'.	Security of Council Property	NO
29.	Internal Audit Project Report – Revenue Assurance & Cash Receipting AC040609F02	The Appendix to the Report is copy of the Report prepared by Ernst & Young regarding 'Assurance & Cash Receipting'.	Security of Council Property	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
30.	Glandore Community Centre GC240407F01	The Report contains legal advice in relation to the Glandore Community Centre.	Legal Advice	NO
31.	Community Bus Negotiations GC240309F01	The Report contains legal advice in relation to the Community Bus.	Legal Advice	NO
32.	External Audit Tender Reference No: GC140212F01 File No: 7.81.2.130	Report contains information relating to the tender for the provision of external audit services	Legal Advice	NO
33.	Legal Advice Ref No: GC100712F02	Report contains information relating to the provision of legal advice about a planning matter.	Legal Advice	NO
34.	Report on Glandore Community Centre GC261004F02	The Report provided details about the operations of the Glandore Community Centre.	Personal information	NO
35.	Glandore Community Centre GC220305F03	The Report provided details about the operations of the Glandore Community Centre.	Personal information	NO
36.	Living Kaurua Cultural Centre GC250105F02	This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons	Personal information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
37.	Living Kauria Cultural Centre GC220305F01	This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons	Personal information	NO
38.	Cove Sports and Community Club SGC010205F01	The Report provided options for the future management structure of the Cove Sports and Community Club (the Club) and contained information that reflected the "personal affairs" of nominees for the Board of Management of the Club in the form of application forms.	Personal information	NO
39.	Personal Matter GC090805F02	This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (living or dead).	Personal information Legal advice	NO
40.	Reserve at Elizabeth Crescent Hallett Cove Cancellation of Contract Reference No: GC271112F01	Cancellation of Contract for the Reserve at Elizabeth Crescent Hallett Cove	Personal Information	NO
41.	Code of Conduct GC270514F02	Code of Conduct Complaint by Councillor Allen regarding Councillor Hull	Duty of Confidence	NO
42.	Code of Conduct Complaint GC240614F01	Code of Conduct Complaint by Councillor Allen regarding Councillor Hull	Duty of Confidence	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
43.	CEO Performance & Remuneration Review Various dates since 2003	Numerous (56) reports relating to the conduct of the annual CEO Performance & Remuneration Review. The reports contain details of the review outcomes, including provisions of the CEO's Employment Agreement which are the subject of confidentiality clauses within the Agreement. Note that each year's review involves confidential reports to both the CEO Review Committee and the Council. As such, each review year has approximately 4 or 5 reports relating to the one topic.	Duty of confidence Personal information	NO

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
44.	Development Assessment Panel (DAP) GC270503F01	The Report outlined details of a nomination process for the appointment of members to Council's DAP and contained information that reflected the "personal affairs" of the nominees in the form of resumes.	Personal information	Under consideration for release
45.	Development Assessment Panel – Nomination for Independent Membership GC280605F01	The Report outlined details of a nomination process for the appointment of members to Council's Development Assessment Panel (DAP) and contained information that reflected the "personal affairs" of the nominees.	Personal information	Under consideration for release
46.	Alleged Breaches of the Code of Conduct for Elected Members GC270104F01	The Report outlines details of an alleged breach by an Elected Member against the Code of Conduct together with a proposed process for investigating the complaint. The report was considered in confidence as it disclosed individual names i.e. the complainant(s) and the person who was the subject of the complaint.	Personal information Legal obligation	Under consideration for release

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
47.	Legal Advice CC100204F01	The Report outlined details of a request to seek legal advice during the process of investigation into an alleged breach of Council's Code of Conduct for Elected Members. The report was considered confidential on the basis that it contained information of a personal nature i.e. the name of the person who was the subject of the complaint together with details of the complaint. It did not provide specific legal advice that would be the subject of a confidentiality order under Section 90(3)(h) of the Act.	Personal information Legal obligation	Under consideration for release
48.	Alleged Breach of Elected Members' Code of Conduct CC110504F01	The Report outlines the findings of an investigation into an alleged breach by an Elected Member against the Code of Conduct together with associated recommendations for Council consideration. The report was considered in confidence as it disclosed individual names i.e. the complainant(s) and the person who was the subject of the complaint.	Personal information Duty of confidence	Under consideration for release
49.	Occupational Health, Safety and Welfare GC250105F03	The Report outlines the findings of an investigation into an alleged breach by an Elected Member against the Code of Conduct together with associated recommendations for Council consideration.	Personal information Duty of confidence	Under consideration for release
50.	Occupational Health Safety and Welfare GC270905F01	This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (living or dead) – Section 90 (3)(a) of the Act.	Personal information Duty of confidence	Under consideration for release
51.	Legal Advice GC280206F01	The Report outlined some possible Occupational Health, Safety and Welfare issues and advised of a request to seek legal advice in relation to the matter.	Personal information Duty of confidence	Under consideration for release
52.	Development Assessment Panel Processes GC230908F01	Conflict of interest matter (re 'development') relating to a former Councillor	Personal information	Under consideration for release

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
53.	Development Assessment Panel Process GC251108F01	As above. This report details the outcomes of the conflict of interest investigation	Personal Information	Under consideration for release
54.	Renaming of Vinall Street, Section 270 Review Reference No: GC140910F01 File No:10.46.1.1	Relates to a Section 270 review regarding a request to rename Vinall Street.	Personal information	Under consideration for release
55.	Marion South Plan – Craven Deed SGC161104F01	The Report outlined arrangements with and commitments by Craven to enable the construction of the new connector road, and contained confidential information of a commercial nature.	Commercial information Duty of confidence	Under consideration for release
56.	Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group) SGC161104F02	The Report outlined arrangements with and commitments by the Makris Group to enable the construction of the new connector road, and contained confidential information of a commercial nature.	Commercial information Duty of confidence	Under consideration for release
57.	Marion South Plan – Craven and Etiria Deeds GC260405F01	The Report outlined arrangements with and commitments by the Craven and Makris Groups to enable the construction of the new connector road, and contained confidential information of a commercial nature – Sections 90(3)(d) and (g) of the Act.	Commercial information Duty of confidence	Under consideration for release
58.	Marion South Plan Craven Deed GC191206F01	The Report outlined arrangements with and commitments by Craven to enable the construction of the new connector road, and contained confidential information of a commercial nature.	Commercial Information Duty of confidence	Under consideration for release

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
59.	Marion South Plan Etrira Deed (Makris Group) GC130307F01	The Report outlined arrangements with and commitments by Etrira to enable the construction of the new connector road, and contained confidential information of a commercial nature.	Commercial information	Under consideration for release
60.	Marion South Plan Tender for Construction GC250907F01	The Report outlined arrangements with and commitments to enable the construction of the new connector road, and contained confidential information of a commercial nature.	Commercial information	Under consideration for release
61.	Oaklands Regeneration Project, State Aquatic SGC300608F01	Letter of offer from 3 rd party relating to the next steps associated with the development of the State Aquatic Centre	Commercial information	Under consideration for release
62.	Internal Audit Service Provision AC030706F01	Information relating to the internal audit tender contract	Commercial information	Under consideration for release
63.	Representation Review – Appointment of External Consultant GC240209F01	The report outlined details of a proposed Representation Review contract and was considered confidential on the basis that Council was undertaking a tender process for the provision of services	Commercial information Tender for services	Under consideration for release

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
64.	Representation Review – Appointment of Authorised Person Reference No: GC091012F01	Appendices 2 and 3 contain commercially sensitive information relating to the proposals received and the evaluation undertaken for the appointment of Authorised Person to conduct the Representation Review.	Personal / Commercial Information	Under consideration for release
65.	City Services Redevelopment – Section 48 Prudential Report Ref No: AC190511R6.1 File No: 16.37.1.4	Report contains information relating to the City Services Redevelopment - Section 48 Prudential Report	Commercial information	Under consideration for release
66.	City Services Redevelopment – Cost Estimate Ref No: GC110912F01 File No: 16.21.3.43	Relates to the City Services Redevelopment cost estimates	Commercial Information	Under consideration for release
67.	City Services Redevelopment – Update GC290113F01	Report relates to the City Services Redevelopment	Commercial and tender information	Under consideration for release

	Subject & Date	Description	Grounds for Confidential Order	2014 Recommend Release Yes or No
68.	Commercial Arrangement Ref No: GC230811F02 File No: 16.21.3.52	Signatures Café – expression of interest and tender processes now concluded	Commercial information	Under consideration for release
69.	Commercial Arrangements GC111212F01	Signatures Café – failure of lease for private operator	Commercial Information	Under consideration for release
70.	Commercial Arrangements GC260313F02	Signatures Café – recommendation to enter into a lease agreement with the current operator	Commercial and tender information	Under consideration for release

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Review of Confidential Items 2003, GC161203F02

Ref No: GC091214R11 - (01)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Review of Confidential Items 2003, GC161203F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (1)

DUE DATES

That:

1. The confidentiality order pertaining to Appendices 2 and 3 of the Report “<i>Review of Confidential Items 2003, GC161203F02</i>” be revoked.	9 Dec 14

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 16 December 2003, Council ordered that the Report *Review of Confidential Items 2003, GC161203F02* be kept confidential until December 2004, after which time the order was to be reviewed. The Report related to the review of 3 confidential items: *Development Assessment Panel (DAP) GC270503F101*; *State Aquatic Centre (GC260803F01)* and *State Aquatic Centre (GC281003F01)*, and attached copies of the original confidential reports to be reviewed.

As required by the Act, this confidentiality order has been reviewed annually since December 2004. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendices 2 and 3 to the Report, ‘Review of Confidential Items 2003, GC161203F02 be kept confidential and not available for public inspection on the basis that the Appendices contain information the disclosure of which:*

- (a) *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 (Section 90(3)(b) of the Local Government Act 1999); and*
- (b) *would, on balance, be contrary to the public interest;*
- (c) *would breach a duty of confidence that Council has under the terms of an agreement between the City of Marion and the State Government (Section 90(3)(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. *This confidentiality order be reviewed at the December 2014 meeting of Council.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to Appendices 2 and 3 to the Report *Review of Confidential Items 2003, GC161203F02* is again due for review.

ANALYSIS

Appendices 2 and 3 to the original Report provide copies of previous Council reports associated with the State Aquatic Centre (references: *State Aquatic Centre, GC260803F01*; and *State Aquatic Centre, GC281003F01*). Given both of these reports were released in February 2014 these Appendices 2 and 3 can be released.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of Appendices 2 and 3 to the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing all the Appendices to the Report *Review of Confidential Items 2003, GC161203F02* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Acquisition of Land for Drainage Reserve – 40a Jervois
Terrace Marino, GC100712F01

Report Reference: GC091214R11 – (02)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (1)

DUE DATES

That the confidentiality order pertaining to the Report 'Review of Confidential Order for the Item "*Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712F01* " together with the minutes arising from the report be revoked.

9 Dec 14

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 July 2012, Council ordered that the Report *Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712* and the appendices and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2012.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712F01* 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 basis it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with who

the Council is conducting, or proposing to conduct business, or to prejudice the commercial position of the Council; and 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 2014 meeting of Council.

In accordance with Section 91(7) and (9) of the Act and the above resolutions, the confidentiality order relating to the Report *Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712* is due for review.

ANAYLSIS

Given that the report contains information relating the acquisition of land, the negotiations of which are now finalised, and the sale price is on the public record, it is recommended that the confidential order relating to the Report be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. The release of the Report "*Acquisition of Land for Drainage Reserve – 40a Jervois Terrace Marino, GC100712F01*" and minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Internal Audit Report - Enterprise Bargaining Calculations,
AC100810F02

Ref No: GC091214R11 - (03)

REPORT OBJECTIVE:

To review the confidential item relating to the matter *Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (1)

DUE DATES

That the confidentiality order pertaining to the Report 'Review of Confidential Order for the Item "*Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02*" together with the minutes arising from the report be revoked.

9 Dec 14

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 August 2010 the Audit Committee ordered that the Report *Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02* (the Report) together with any appendices and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010. This order was made on the basis that the report contained legal advice pertaining to the matter – Section 90(3)(h).

As required by the Act, this confidentiality order has been reviewed annually since December 2010. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02*" together with all annexure and the minutes arising from the report be kept confidential on the basis that it is legal advice (*Section 90(3)(h) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Report *Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02* contains legal advice in relation to the Enterprise Bargaining Calculations. The report was considered confidential on the basis that it contained legal advice under Section 90(3)(h) of the Act.

Given that the enterprise agreement to which the legal advice relates has been replaced by a new agreement and therefore those matters have been superseded, it is recommended that the confidential order relating to the Report be revoked.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(h) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. The release of the Report "*Internal Audit Report - Enterprise Bargaining Calculations, AC100810F02*" and minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
External Audit Tender, AC011211F6.1

Report Reference: GC091214R11 – (04)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit Tender, AC011211F6.1* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (1)

DUE DATES

That the Report '*External Audit Tender, AC011211F6.1*' and the minutes arising from the report be released.

9 Dec 14

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 1 December 2011 Council ordered that the Report *External Audit Tender, AC011211F6.1* and the minutes be kept confidential and not available for public inspection until the conclusion of the tendering process for External Services. The order was made on the basis that the report contained information that may prejudice the commercial position of the Council in the proposed tendering process. Section 90(2) and (3)(b) of the Act.

On 10 December 2013 Council reviewed this order and resolved:

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *External Audit Tender, AC011211F6.1* and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis

the information may prejudice the commercial position of the Council in the proposed tendering process.

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 2014.

In accordance with the Act, the above resolutions the confidentiality order is due for review.

ANAYLSIS

On review of the original Report, it is considered that the commercial information is no longer current or of relevance. It is not considered that the disclosure of this information would be unreasonable. Accordingly, it is recommended that the report, appendices and minutes be released.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *External Audit Tender, AC011211F6.1* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Cove Sports and Community Club, CC140605R07

Ref No: GC091214R11 - (05)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Cove Sports and Community Club, CC140605R07* in accordance with Section 91(9) of the *Local Government Act 1999*.

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Appendix 2 to the Report, “Cove Sports and Community Club, CC140605R07” be kept confidential on the basis that it deals with information the disclosure of which will involve the unreasonable disclosure of commercial information of a confidential nature, which, on balance, would be contrary to the public interest (Section 90(3)(d) of the *Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 June 2005, Council ordered that Appendix 2 to the report relating to the *Cove Sports and Community Club, CC140605R07* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The Appendix comprised the April Activity Report of the Cove Sports and Community Club (the Club) and was considered to contain commercial information that if disclosed, could reasonably be expected to prejudice the commercial position of the person who supplied the information.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix 2 to the Report, "*Cove Sports and Community Club, CC140605R07*" be kept confidential on the basis that it deals with information the disclosure of which will involve the unreasonable disclosure of 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 2014 meeting of Council.

In accordance with the Act and the above resolutions, the confidentiality order is due for review.

ANALYSIS

On reviewing Appendix 2 to the original Report, it is recommended that the confidentiality order be retained on the basis that the information provided in the Appendix could still prejudice the commercial position of the person(s) who supplied the information, and the release of the information would, on balance, be contrary to the public interest.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of Appendix 2 to the Report *Cove Sports and Community Club, CC140605R07*, is important to ensure that Council does not prejudice the commercial or confidential position of the Club.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Lease and Operation of Marion Leisure and Fitness Centre
GC280904F01

Ref No: GC091214R11 - (06)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that Appendix 1 to the Report, "<i>Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01</i>" be kept confidential on the basis that the matter relates to a tender for the provision of services and the carrying out of works for the Council (Section 90(3)(k) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 September 2004, Council ordered that the report and associated documents relating to the *Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2004. The Report sought to formalise an Agreement for the lease and operation of the Marion Leisure and Fitness Centre with the preferred tenderer and provided, at Appendix 1, details of the tenders received.

As required by the Act, the original confidentiality order was reviewed in December 2004 at which time it was resolved to retain the confidentiality order until the expiry of the current lease, to be reviewed in December 2005.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. *Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to the Report, "Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01" be kept confidential on the basis that the matter relates to a tender for the provision of services and the carrying out of works for the Council (Section 90(3)(k) 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 2014 meeting of Council.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to Appendix 1 to the Report *Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01* is again due for review.

ANALYSIS

On reviewing Appendix 1 to the Report it is noted that it continues to contain details of all tenders received for the Marion Leisure and Fitness Centre, and is considered to be commercial in nature. Furthermore, to ensure that integrity and probity is maintained with Council's tendering processes, it is recommended that the confidentiality order relating to Appendix 1 of the Report *Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01* be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(k) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the commercial information contained within Appendix 1 of the Report *Lease and Operation of Marion Leisure and Fitness Centre, GC280904F01* is important to ensure that Council does not prejudice the integrity of tendering.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Provision of Advertising Bus Shelters to the City of Marion
GC270207F01

Ref No: GC091214R11 - (07)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Provision of Advertising Bus Shelters to the City of Marion, GC270207F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

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 " <i>Provision of Advertising Bus Shelters to the City of Marion, GC270207F01</i> " be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 February 2007, Council ordered that the report and associated documents relating to the *Provision of Advertising Bus Shelters to the City of Marion, GC270207F01* (the Report) be kept confidential for a period of 10 months, to be reviewed in December 2007.

As required by the Act this confidentiality order has been reviewed annually since December 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved 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 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is now due for review.

ANALYSIS

On reviewing the Report it is noted that it continues to contain commercial details of a confidential nature. It is therefore recommended that the confidentiality order in relation to the Report and associated items remain in force.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the commercial information contained in the Report, annexure and minutes is important to ensure that Council does not prejudice the integrity of Council's processes.

CITY OF MARION

GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Review of Confidential Order for the Item:
Abbeyfield, GC260509F02
Ref No: GC091214R11 - (08)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Abbeyfield*, GC260509F02 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report “<i>Abbeyfield</i>, GC260509F02” together with the attachments and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and (b) 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 May 2009, Council ordered that the to the Report *Abbeyfield, GC260509F02* and the minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2009.

As required by the Act, this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report “*Abbeyfield, GC260509F02*” together with the minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Abbeyfield, GC260509F02* is now due for review.

ANALYSIS

Given that the report contains information relating to the Abbeyfield House Marion that is of a commercial nature and that Council has a duty to keep confidential it is recommended that the confidentiality order relating to the Report *Abbeyfield, GC260509F02* and the relevant minutes be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Abbeyfield, GC260509F02* is necessary to ensure that Council does not prejudice the commercial or confidential position of the building. This in turn demonstrates accountable governance by ensuring that the best possible outcomes (particularly financial) can be gained for the community.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Program Evaluation and Business Improvement Service
Provisions, AC020610F01

Ref No: GC091214R11 - (09)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC020610F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "<i>Program Evaluation and Business Improvement Service Provisions, AC020610F01</i>" together with the appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and (b) 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 2 June 2010, the Audit Committee ordered that the Report *Program Evaluation and Business Improvement Service Provisions, AC020610F01* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010.

The confidentiality order has been reviewed annually since 2010. The last review was at the General Council Meeting on 10 December 2013, where it was resolved:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Program Evaluation and Business Improvement Service Provisions, AC020610F01*" together with the appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) 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 be reviewed at the December 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC020610F01* is now due for review.

ANALYSIS

To ensure that integrity and probity is maintained with Council's tendering processes, it is recommended that the confidentiality order be retained on the basis that the Appendix to the Report contains information the disclosure of which would involve the unreasonable disclosure of information concerning tenders for the provision of services.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Program Evaluation and Business Improvement Service Provisions, AC020610F01* is important to ensure that Council does not prejudice the integrity of the tendering process.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Program Evaluation and Business Improvement Service
Provisions, AC100810F01

Ref No: GC091214R11 - (10)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Program Evaluation and Business Improvement Service Provisions, AC100810F01</i>" together with the appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and (b) 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 August 2010, the Audit Committee ordered that the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010.

The confidentiality order has been reviewed annually since 2010. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Program Evaluation and Business Improvement Service Provisions, AC100810F01*" together with the appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* is now due for review.

ANALYSIS

To ensure that integrity and probity is maintained with Council's tendering processes, it is recommended that the confidentiality order be retained on the basis that the Appendix to the Report contains information the disclosure of which would involve the unreasonable disclosure of information concerning tenders for the provision of services.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Program Evaluation and Business Improvement Service Provisions, AC100810F01* is important to ensure that Council does not prejudice the integrity of the tendering process.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Program Evaluation and Business Improvement Service
Provisions, GC240810F02

Ref No: GC091214R11 - (11)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Program Evaluation and Business Improvement Service Provisions, GC240810F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Program Evaluation and Business Improvement Service Provisions, GC240810F02</i>" together with all appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and (b) 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 August 2010, Council ordered that the Report *Program Evaluation and Business Improvement Service Provisions, GC240810F02* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010.

The confidentiality order has been reviewed annually since 2010. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Program Evaluation and Business Improvement Service Provisions, GC240810F02*" together with all appendices and minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Program Evaluation and Business Improvement Service Provisions, GC240810F02* is now due for review.

ANALYSIS

To ensure that integrity and probity is maintained with Council's tendering processes, it is recommended that the confidentiality order be retained on the basis that the Appendix to the Report contains information the disclosure of which would involve the unreasonable disclosure of information concerning tenders for the provision of services.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Program Evaluation and Business Improvement Service Provisions, GC240810F02* is important to ensure that Council does not prejudice the integrity of the tendering process.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Payroll Services and 6th Ranking Process, AC011211F6.2

Report Reference: GC091214R11 – (12)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Payroll Services and 6th Ranking Process, AC011211F6.2* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

1. That in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Payroll Services and 6th Ranking Processes* (reference AC011211F02) together with any attachments, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the council, and 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 confidentiality order will be reviewed at the General Council meeting in December 2015.

9 Dec 14

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 1 December 2011 Council ordered that the Report *Payroll Service and 6th Ranking Process, AC011211F6.2* and the minutes be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information the disclosure of which could reasonably be expected to prejudice the commercial position of the council, and on balance, the disclosure would be contrary to the public interest. Section 90(2) and (3)(b) of the Act.

The confidentiality order has been reviewed annually since 2011. The last review was at the General Council Meeting on 10 December 2013, where it was resolved:

1. That in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Payroll Services and 6th Ranking Processes* (reference AC011211F02) together with any attachments, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis the report contains information the disclosure of which could reasonably be expected 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. This confidentiality order will be reviewed at the General Council meeting in December 2014.

ANAYLSIS

On review of the original Report, it has been noted that the commercial information remains relevant to the content of the Report and as such, it is recommended that the confidentiality order pursuant to Section 90(3)(b) of the Act remain in force. As the minutes do not contain commercially sensitive information the confidentiality order over the minutes is no longer required.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Payroll Services and 6th Ranking Process, AC011211F6.2* is necessary to ensure that Council does not disclose information that may prejudice Council's commercial position.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
External Audit – Tender for Services, AC070212

Report Reference: GC091214R11 – (13)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit – Tender for Services, AC070212* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *External Audit – Tender for Services, AC070212*, 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 it contains information relating to the tender for the provision of external audit services and is of a commercial nature, and the release would, on balance, be contrary to the public interest.

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 7 February 2012 the Committee ordered that the Report *External Audit – Tender for Services, AC070212* and minutes be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating to the tender for the provision of external audit services and is of a commercial nature - Section 90 (2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *External Audit – Tender for Services, AC070212*, 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 it contains information relating to the tender for the provision of external audit services and is of a commercial nature.

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 2014

In accordance with the Act and the above resolutions this confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information regarding a proposed tenderer for the provision of external audit services, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *External Audit – Tender for Services, AC070212* is necessary to ensure that Council does not prematurely disclose commercial information.

CITY OF MARION

**GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the item:
Kerbside Waste Collection Contract – GC120612F01

Report Reference: GC091214R11 - (14)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Kerbside Waste Collection Contract, GC120612F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that this report, <i>Kerbside Waste Collection Contract, GC120612F01</i> 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 on the basis it relates to commercial information of a confidential nature. 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 12 June 2012 Council ordered that the report *Kerbside Waste Collection Contract, GC1206F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contains information relating to commercial information of a confidential nature – Section 90(3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, *Kerbside Waste Collection Contract, GC120612F01* 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 on the basis it relates to commercial information of a confidential nature.

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 2014 meeting of Council.

In accordance with the Act, and the above resolutions, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information on a current contract it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Kerbside Waste Collection Contract, GC120612F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC240112F01

Report Reference: GC091214R11 – (15)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC240112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

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.

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 January 2012 Council ordered that the Report *Commercial Arrangements GC240112F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating 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 - Section 90(2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved 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.

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 2014.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information regarding a current lease with the City of Marion and a third party, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the

Report *Commercial Arrangements Report Reference GC240112F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC240712F01

Report Reference: GC091214R11 – (16)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC240712F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240712*, 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) and (k) 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 release would, on balance, be contrary to the public interest.

9 Dec 14

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 2015.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 July 2012 Council ordered that the Report *Commercial Arrangements, GC240712F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating 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 Section 90(2) and (3)(d) and (k) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Commercial Arrangements, GC240712*, 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) and (k) 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

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 2014.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information regarding a proposed commercial arrangement with the City of Marion and a third party, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Commercial Arrangements, GC240712F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Public Trustee Land - Glandore Laneways, Certificates of Title
Volume 5658 Folio 602 and Volume 5992 Folio 848

Ref No: GC091214R11 - (17)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 ", minutes and the minutes arising from the report be kept confidential on the basis that they contain information, the disclosure of which could reasonably be expected to confirm 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 on balance would be contrary to the public interest (*Section 90(3)(b), and (d) of the Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 29 January 2013, Council ordered that the Report *Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2013.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. *Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848 ", minutes and the minutes arising from the report be kept confidential on the basis that they contain information, the disclosure of which could reasonably be expected to confirm 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 on balance would 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. *This confidential order be reviewed at the December 2014 meeting of Council.*

In accordance with Section 91(7) and (9) of the Act and the above resolutions, the confidentiality order relating to the Report, *Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848* is again being reviewed.

ANAYLSIS

Given that the report contains information relating the acquisition of land, the negotiations of which are still in progress, it is recommended that the confidential order relating to the Report *Public Trustee Land - Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848* be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(m) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report - *Glandore Laneways, Certificates of Title Volume 5658 Folio 602 and Volume 5992 Folio 848*, is necessary to ensure that Council does not prematurely disclose commercial information, the disclosure of which would, on balance, be contrary to the public interest.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Service Review Project Report – Marion Swimming Centre
AC120213F01
Ref No: GC091214R11 - (18)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Service Review Project Report – Marion Swimming Centre AC120213F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report including any appendices to this report and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) and (3)(e) of the Act be kept confidential and not available for public inspection (with the exception of City of Marion staff at the Marion Swimming Centre) as it includes information, which could reasonably be expected to either prejudice the commercial position of the Council or affect the security of council employees or council property, and the disclosure would, on balance, be contrary to the public interest.

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 12 February 2013 the Audit Committee ordered that the Report, *Service Review Project Report – Marion Swimming Centre AC120213F01*, minutes and any other information distributed at the meeting be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the order be reviewed at the December 2013 meeting.

In accordance with the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report including any appendices to this report and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) and (3)(e) of the Act be kept confidential and not available for public inspection (with the exception of City of Marion staff at the Marion Swimming Centre) as it includes information, which could reasonably be expected to either prejudice the commercial position of the Council or affect the security of council employees or council property, and the disclosure 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 2014 meeting of Council.*

This order was made on the on the grounds that the report contains information in relation to the review of services provided by the Marion Swimming Centre, including salaries and operating details, the disclosure of which could reasonably be expected to either prejudice the commercial position of the Council or affect the security of council employees or council property. Upon this basis, the Council was satisfied that disclosure of the information would, on balance, be contrary to the public interest and that the requirement for the meeting to be conducted in a place open to the public was outweighed by the need to keep consideration of the matter confidential.

ANAYLSIS

On review of the Report and Appendices it is noted that the information remains confidential in nature and, on balance, disclosure would be contrary to the public pursuant to Section 90(3)(b) and (e) of the Act. As such it is recommended that the confidentiality order relating to this matter remain in force for a period of 12 months from the date of this meeting.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report *Service Review Project Report – Marion Swimming Centre AC120213F01* during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(b) and (e) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Report Reference: GC091214R11 – (18)

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report, *Commercial Arrangements*, GC111212F01 is necessary to ensure that Council does not does not prejudice the commercial or confidential position of the person who supplied the information, or to confer a commercial advantage to a third party proposed development. This in turn demonstrates accountable governance by ensuring that the best possible outcomes (particularly financial) can be gained for the community.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Oaklands Wetland – Cost Estimate, GC140812F01

Report Reference: GC091214R11 – (19)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Oaklands Wetland – Cost Estimate, GC140812F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

9 Dec 14

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, *Oaklands Wetland – Cost Estimate, GC140812F01* 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 basis the information relates to information the disclosure of which would:

(a) 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

(b) 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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 August 2012 Council ordered that the Report *Oaklands Wetland – Cost Estimate, GC140812F01* and minutes be kept confidential and not available for public inspection to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating to commercial 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. Section 90 (2) and (3)(b) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, *Oaklands Wetland – Cost Estimate, GC140812F01* 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 basis the information relates to 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.

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 2014.

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains commercial information regarding a proposed project including cost estimates, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Oaklands Wetland – Cost Estimate, GC140812F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Oaklands Wetland – Award of Construction, GC131112F01

Report Reference: GC091214R11 – (20)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Oaklands Wetland – Award of Construction, GC131112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that Appendix A: Tender Assessment Reports to the Oaklands Wetland Cost Breakdown and Appendix B: Oaklands Wetland Tender Evaluation in relation to the Report Oaklands Wetland – Award of Construction, GC131112F01 having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis the information relates to the tender for the carrying out of works and disclosure of the information would:

9 Dec 14

(a) 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

(b) 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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 November 2012 Council ordered that Appendix A: Tender Assessment Reports to the Oaklands Wetland Cost Breakdown and Appendix B: Oaklands Wetland Tender Evaluation to the report *Oaklands Wetland – Award of Construction, GC131112F01* be kept confidential and not available for public inspection for a period of 12 months to be reviewed in December 2013. The order was made on the basis that the information relates to the award of a construction tender - Section 90(2) and (3)(b) and (k) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that Appendix A: Tender Assessment Reports to the Oaklands Wetland Cost Breakdown and Appendix B: Oaklands Wetland Tender Evaluation in relation to the Report *Oaklands Wetland – Award of Construction, GC131112F01* having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis the information relates to the tender 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. This confidentiality order will be reviewed at the General Council meeting in December 2014.

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

Given that Appendix A and B to the report *Oaklands Wetland – Award of Construction, GC131112F01* contain information on the Tender Assessment Reports and information on the tender evaluation and the assessment criteria, it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Oaklands Wetland – Award of Construction, GC131112F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Director: Kathy Jarrett

Subject: Review of Confidentiality Order:
City Services Redevelopment AC140313 F01

Report Reference: GC091214R11 – (21)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *City Services Redevelopment – AC140313F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

DUE DATES

RECOMMENDATIONS (2)

That

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, Appendices and the Minutes arising from this report be kept confidential as the information relates to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community (S 90(2) and (3)(b) and (3)(k) 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.	9 Dec 14
2. This confidentiality order will be reviewed at the General Council meeting in December 2015.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 March 2013 the Audit Committee ordered that:

“in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Committee orders that this report including any appendices to this report and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) and (3)(e) 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 confidentiality order will be reviewed at the General Council Meeting in December 2013.”

As required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, Appendices and the Minutes arising from this report be kept confidential as the information relates to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community (S 90(2) and (3)(b) and (3)(k) of the Act)*

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

2. *This confidentiality order will be reviewed at the General Council meeting in December 2014.*

In accordance with the Act and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given that the Report “*City Services Redevelopment –AC140313F01*” contains:

- confidential information relating to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community

it is recommended that the confidentiality order remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the appendices to the Report "*City Services Redevelopment AC140313 F01*" is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidentiality Order: Draft Confidential Minutes from March 2013 Audit Committee Meeting GC260313F01

Report Reference: GC091214R11 – (22)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *Review of Confidentiality Order: Draft Confidential Minutes from March 2013 Audit Committee Meeting GC260313F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report and any appendices to the report having been considered in confidence by the Audit Committee under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to a tender for the carrying out of works, and the disclosure of the information would: (a) 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 (b) 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.	9 Dec 14
2. This confidentiality order will be reviewed at the General Council meeting in December 2015.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 March 2013 the Council ordered that:

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Audit Committee orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the report (exclusive of the appendices) be released. This confidentiality order will be reviewed at the General Council Meeting in December 2013.

As required by the Act and Council's 'Management of Confidential Items Framework', the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report and any appendices to the report having been considered in confidence by the Audit Committee under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to a tender for the carrying out of works, and the disclosure of the information would:*

(a) 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

(b) 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 2014.*

Accordingly, the above confidentiality order is due for review.

ANAYLSIS

Given that the report "*Review of Confidentiality Order: Draft Confidential Minutes from March 2013 Audit Committee Meeting GC260313F01*" contains

- confidential information relating to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community

it is recommended that the confidentiality order remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality order of the Report *"Review of Confidentiality Order: Draft Confidential Minutes from March 2013 Audit Committee Meeting GC260313F01"* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidentiality Order:
City Services Redevelopment GC260313F03, SGC020413,
SGC090413

Report Reference: GC091214R11 – (23)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *City Services Redevelopment GC260313F03, SGC020413, SGC090413* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community.

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 March 2013 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the report (exclusive of the appendices) be released. This confidentiality order will be reviewed at the General Council Meeting in December 2013.

On 10 December 2013, Council reviewed the above confidentiality order and resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to a tender for the carrying out of works, and 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 a cost effective proposal 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 2014.*

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

Given that the appendices to the report "*City Services Redevelopment – Update GC260313 F03*" contain:

- confidential information relating to financial and scope options as part of the tender process to manage the project, and 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 a cost effective proposal for the benefit of the Council and the community

it is recommended that the confidentiality order associated with the appendices remain in place.

Note that these appendices were further considered in confidence at Special General Council Meetings on 2 April 2012 and 9 April 2013.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the appendices to the Report "*City Services Redevelopment GC260313F01, SGC020413 and SGC090413*" is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidentiality Order:
City Services Redevelopment Award of Construction
Tender, SGC190814F01

Report Reference: GC091214R11 – (24)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *City Services Redevelopment Award of Construction Tender, SGC190814F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to a tender for the carrying out of works, and 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 a cost effective proposal 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 2015.

9 Dec 14

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 19 August 2013 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that report SGC190814F01 having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in August 2015.

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

Given that the appendices to the report “*City Services Redevelopment Award of Construction Tender, SGC190814F01*” contain:

- confidential information relating to financial and scope options as part of the tender process to manage the project, and 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 a cost effective proposal for the benefit of the Council and the community

it is recommended that the confidentiality order associated with the appendices remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the appendices to the Report “*City Services Redevelopment Award of Construction Tender, SGC190814F01*” is necessary to ensure that Council does not prematurely disclose commercial information.

CITY OF MARION

**GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidentiality Order:
Hallett Cove Library and Community Centre Award of
Construction Tender GC270813F02

Report Reference: GC091214R11 – (25)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *Hallett Cove Library and Community Centre Award of Construction Tender GC270813F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

DUE DATES

RECOMMENDATIONS (2)

That

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report 'Hallett Cove Library and Community Centre Award of Construction Tender' be kept confidential and not available for public inspection as the information relates to the tender 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, 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 a cost effective proposal for the benefit of the Council and the community (S 90(2) and (3)(b) and (3)(k) of the Act)

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 August 2013, the Council ordered that:

"In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report 'Hallett Cove Library and Community Centre Award of Construction Tender' having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2013

In accordance with the Act, the above confidentiality was last reviewed in December 2013 where it was resolved that:

- 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report 'Hallett Cove Library and Community Centre Award of Construction Tender' be kept confidential and not available for public inspection as the information relates to the tender 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, 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 a cost effective proposal for the benefit of the Council and the community (S 90(2) and (3)(b) and (3)(k) of the Act)*

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

- 2. This confidentiality order will be reviewed at the General Council meeting in December 2014.*

In accordance with the Act and the above resolution, the above confidentiality order is due for review.

ANAYLSIS

Given that the appendices to the report "*Hallett Cove Library and Community Centre Award of Construction Tender GC270813F02*" contains:

- confidential information relating to a tender for the carrying out of works, and 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 a cost effective proposal for the benefit of the Council and the community

it is recommended that the confidentiality order associated with the appendices remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the appendices to the Report "*Hallett Cove Library and Community Centre Award of Construction Tender*" is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Consultants Details, GC101213F01

Report Reference: GC091214R11 – (26)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Consultants Details, GC101213F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report <i>Consultants Details, GC101213F01</i> and minutes having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis the information relates to information the disclosure of which would: a. 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 b. 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.	9 Dec 14
2. This confidentiality order will be reviewed at the General Council meeting in December 2015.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 December 2013 Council ordered that the report *Consultants Details, GC101213F01* and associated minutes be kept confidential and not available for a period of 12 months from the date of this meeting to be reviewed in December 2012. This order was made on the basis that the information in the report relates to 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. Section 90(2) and (3)(b) of the Act.

As required by the Act and Council's 'Management of Confidential Items Framework', this confidentiality order is due for review.

ANAYLSIS

On review the report still contains commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business or prejudice the Commercial position of the Council. As such it is recommended that the confidentiality order relating to this matter remain in force.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the commercial information contained in the Report '*Consultants Details, GC101213F01*' and minutes is important to ensure that Council does not prejudice the integrity of Council's processes.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Kerbside Waste & Recycling Collection Contract 2005,
SGC210605F01

Ref No: GC091214R11 - (27)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, " <i>Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01</i> " together with the appendices and minutes arising from the report be kept confidential on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 21 June 2005, Council ordered that the report relating to the *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The report outlined details of a proposed kerbside waste and recycling contract and was considered confidential on the basis that Council was undertaking a tender process for the provision of services – Section 90(3)(k) of the Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that the confidentiality order should be maintained and reviewed at the December 2014 meeting of Council.

ANALYSIS

To ensure that integrity and probity is maintained with Council's tendering processes, it is recommended that the confidentiality order be retained on the basis that the Report contains information the disclosure of which would involve the unreasonable disclosure of information concerning tenders for the provision of services.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Kerbside Waste & Recycling Collection Contract 2005, SGC210605F01* is important to ensure that Council does not prejudice the integrity of the tendering process.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Internal Audit Project Report - Accounts Payable,
AC040609F01

Ref No: GC091214R11 – (28)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Internal Audit Project Report - Accounts Payable, AC040609F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Internal Audit Project Report - Accounts Payable, AC040609F01</i>' 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 <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 4 June 2009, the Audit Committee ordered that the Appendix to the Report *Internal Audit Project Report - Accounts Payable, AC040609F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2009. This order was made on the basis that the Appendix to the Report deals with information the disclosure of which could reasonably be expected to affect the security of Council property (Section 90(3)(e) of the Act).

As required by the Act, this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved 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 Project Report - Accounts Payable, AC040609F01*' 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

The Appendix to the Report *Internal Audit Project Report - Accounts Payable, AC040609F01* is a copy of the Report prepared by Ernst & Young regarding 'Accounts Payable'.

On review of the original Report it is noted that it continues to contain information affecting the security of Council property – Section 90(3)(e) of the Act, as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(e) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Internal Audit Project Report - Accounts Payable, AC040609F01* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Internal Audit Project Report - Assurance & Cash Receipting,
AC040609F02

Ref No: GC091214R11 – (29)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the report, '<i>Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02</i>' 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 <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 4 June 2009, the Audit Committee ordered that the Appendix to the Report *Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2009. This order was made on the basis that the Appendix to the Report deals with 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*).

As required by the Act, this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved 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 Project Report - Assurance & Cash Receipting, AC040609F02*' 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02* is now due for review.

ANALYSIS

The Appendix to the Report *Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02* is copy of the Report prepared by Ernst & Young regarding 'Assurance & Cash Receipting'.

On review of the original Report it is noted that it continues to contain information affecting the security of Council property – Section 90(3)(e) of the Act, as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(e) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Internal Audit Project Report - Assurance & Cash Receipting, AC040609F02* is necessary to ensure that Council does not prematurely disclose information that could affect the security of Council property.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Glandore Community Centre, GC240407F01

Ref No: GC091214R11 - (30)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Glandore Community Centre, GC240407F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "*Glandore Community Centre GC240407F01*" be kept confidential on the basis that it contains legal advice (Section 90(3)(b) of the *Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 April 2007 Council ordered that the Report *Glandore Community Centre* reference number GC240407F01 (the Report) be kept confidential for a period of 8 months, to be reviewed at the General Council meeting in December 2007. This order was made on the basis that the report contained legal advice pertaining to the matter – Section 90(3)(h).

As required by the Act, this confidentiality order has been reviewed annually since December 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Glandore Community Centre GC240407F01*” be kept confidential on the basis that it is 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 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is again due for review.

ANALYSIS

The Report *Glandore Community Centre* reference number GC240407F01 contains legal advice in relation to the Glandore Community Centre. The report was considered confidential on the basis that it contained legal advice under Section 90(3)(h) of the Act.

On review of the Report it is noted that it continues to contain legal advice pursuant to Section 90(3)(h) of the Act and as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(h) of the Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Glandore Community Centre* reference number GC240407F01, is necessary to ensure that Council does not prematurely disclose personal information or breach any other legal obligation or duty.

Report Reference: GC091214R11 – (30)

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Community Bus Negotiations, GC240309F01

Ref No: GC091214R11 - (31)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Community Bus Negotiations, GC240309F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, " <i>Community Bus Negotiations, GC240309F01</i> " together with all annexure and the minutes arising from the report be kept confidential on the basis that it is legal advice (<i>Section 90(3)(h) of the Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 23 April 2009 Council ordered that the Report *Community Bus Negotiations, GC240309F01* (the Report) together with any appendices and any other information distributed at the meeting be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2009. This order was made on the basis that the report contained legal advice pertaining to the matter – Section 90(3)(h).

As required by the Act, this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Community Bus Negotiations, GC240309F01*” together with all annexure and the minutes arising from the report be kept confidential on the basis that it is legal advice (*Section 90(3)(h) 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 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is again due for review.

ANALYSIS

The Report *Community Bus Negotiations, GC240309F01* contains legal advice in relation to the Community Bus. The report was considered confidential on the basis that it contained legal advice under Section 90(3)(h) of the Act.

On review of the Report it is noted that it continues to contain legal advice pursuant to Section 90(3)(h) of the Act and as such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(h) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Community Bus Negotiations, GC240309F01*, is necessary to ensure that Council does not prematurely disclose personal information or breach any other legal obligation or duty.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
External Audit Tender, GC140212F01

Report Reference: GC091214R11 – (32)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *External Audit Tender, GC140212F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to the report *External Audit Tender, GC140212F01*, 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 the information is of a commercial nature, and disclosure would on balance be contrary to the public interest.

9 Dec 14

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 2015.

Dec 2015

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 February 2012 Council ordered that Appendix 1 to the Report *Eternal Audit Tender, GC140212F01* be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. The order was made on the basis that the report contained information relating to the tender for the provision of external audit services and is of a commercial nature - Section 90 (2) and (3)(d) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 to the report *External Audit Tender, GC140212F01*, 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 the information is of a commercial nature.

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 2014.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is due for review.

ANAYLSIS

Given that Appendix 1 contains commercial information regarding tenderers for the provision of external audit services, it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Eternal Audit Tender, GC140212F01* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Legal Advice, GC100712F02

Report Reference: GC091214R11 – (33)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Legal Advice, GC100712F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Legal Advice, GC100712F02* and the minutes arising from this report 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 basis the report contains information relating to the provision of legal advice.

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 July 2012, Council ordered that the Report *Legal Advice, GC100712F02* and the minutes be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the General Council meeting in December 2012. This order was made on the basis the report contains information relating to the provision of legal advice. Section 90(2) and (3)(h) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Legal Advice, GC100712F02* and the minutes arising from this report 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 basis the report contains information relating to the provision of 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 confidentiality order will be reviewed at the General Council meeting in December 2014.

In accordance with the Act, and the Council resolution, the above confidentiality order is due for review.

ANAYLSIS

Given the report contains legal advice received by the Council it is recommended that the confidentiality order associated with this report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(h) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Legal Advice, GC100712F02* is necessary to ensure that Council does not prematurely disclose commercial information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Report on Glandore Community Centre GC261004F02

Ref No: GC091214R11 - (34)

REPORT OBJECTIVE:

To review the confidential item relating to the *Report on Glandore Community Centre GC261004F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Report on Glandore Community Centre GC261004F02</i>" and the minutes arising from the Report be kept confidential on the basis that they contain 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 <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 October 2004, Council ordered that the Report and minutes arising from the *Report on Glandore Community Centre GC261004F02* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2004. The Report provided details about the operations of the Glandore Community Centre.

As required by the Act, this confidentiality order has been reviewed annually since December 2004. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. *Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "Report on Glandore Community Centre GC261004F02" and the minutes arising from the Report be kept confidential on the basis that they contain 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. *This confidential order be reviewed at the December 2014 meeting of Council.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the *Report on Glandore Community Centre GC261004F02* is again due for review.

ANAYLSIS

Note that this report should be considered in conjunction with the following report being considered by Council at the meeting being held on 10 December 2013 given it deals with a related topic:

GC091214R11 – (35)	Review of Confidential Order for the Item: Glandore Community Centre GC220305F03

Given the Report contains personal information within the definition of the Local Government Act 1999, it is recommended that the confidentiality order be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the *Report on Glandore Community Centre GC261004F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Glandore Community Centre GC220305F03

Ref No: GC091214R11 - (35)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the *Glandore Community Centre GC220305F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "<i>Glandore Community Centre GC220305F03</i>" together with any attachments and the minutes arising from the Report be kept confidential on the basis that they contain 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 <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 22 March 2005, Council ordered that the Report and minutes arising from the Report *Glandore Community Centre GC220305F03* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The Report provided details about the operations of the Glandore Community Centre.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "*Glandore Community Centre GC220305F03*" together with any attachments and the minutes arising from the Report be kept confidential on the basis that they contain 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. This confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Note that this report should be considered in conjunction with the following report being considered by Council at the meeting being held on 10 December 2013 given it deals with a related topic:

GC091214R11 – (34) Review of Confidential Order for the Item: Report on Glandore Community Centre GC261004F02

Given the Report contains personal information within the definition of Section 90(9) of the Act, it is recommended that the confidentiality order be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Glandore Community Centre GC220305F03* is necessary to ensure that Council does not prematurely disclose personal information.

Report Reference: GC091214R11 – (35)

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Living Kurna Cultural Centre, GC250105F02

Ref No: GC091214R11 – (36)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Living Kurna Cultural Centre, GC250105F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' <i>Living Kurna Cultural Centre, GC250105F02</i> ' together with 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) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 January 2005, Council ordered that the Report and minutes relating to *Living Kurna Cultural Centre, GC250105F02* be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2005. This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons – Section 90(3)(a) of the Act.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Living Kurna Cultural Centre, GC250105F02*' together with 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) 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 2014 meeting of Council.

ANAYLSIS

On review of the original Report, it has been noted that the category of 'personal affairs' remains relevant to the content of the Report and as such, it is recommended that the order of confidentiality pursuant to Section 90(3)(a) of the Act remain in force.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Living Kurna Cultural Centre GC250105F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Living Kurna Cultural Centre, GC220305F01

Ref No: GC091214R11 – (37)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Living Kurna Cultural Centre, GC220305F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' <i>Living Kurna Cultural Centre, GC220305F01</i> ' together with 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) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 22 March 2005, Council ordered that the Report and minutes relating to *Living Kurna Cultural Centre, GC220305F01* be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2005. This order was made on the basis that the Report contained information concerning the personal affairs of a number of persons – Section 90(3)(a) of the Act.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Living Kurna Cultural Centre, GC220305F01*' together with 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) 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 2014 meeting of Council

In accordance with the Act and the above resolutions, the confidentiality order relating to the *Living Kurna Cultural Centre, GC220305F01* is again due for review.

ANAYLSIS

On review of the original Report, it has been noted that the category of 'personal affairs' remains relevant to the content of the Report and as such, it is recommended that the order of confidentiality pursuant to Section 90(3)(a) of the Act remain in force.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Living Kurna Cultural Centre GC220305F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Cove Sports and Community Club, SGC010205F01

Ref No: GC091214R11 - (38)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Cove Sports and Community Club, SGC010205F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendices to the Report, “<i>Cove Sports and Community Club, SGC010205F01</i>” be kept confidential on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to the Board of Management of the Cove Sports and Community Club Inc. in the form of application forms (Section 90(3)(a) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 1 February 2005, Council ordered that the report and associated documents relating to the *Cove Sports and Community Club, SGC010205F01* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The Report provided options for the future management structure of the Cove Sports and Community Club (the Club) and contained information that reflected the “personal affairs” of nominees for the Board of Management of the Club in the form of application forms.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendices to the Report, “*Cove Sports and Community Club, SGC010205F01*” be kept confidential on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to the Board of Management of the Cove Sports and Community Club Inc. in the form of application forms (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. This confidential order be reviewed at the December 2014 meeting of Council.

ANALYSIS

The Act defines “personal affairs” to include:

- (a) that person’s-
 - (i) financial affairs
 - (ii) criminal records
 - (iii) marital or other personal relationships
 - (iv) personal qualities, attributes or health status
- (b) that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person

On reviewing the original Report, it is noted that the Appendices of the Report contain information relating to the personal affairs of the nominees for the Club’s Board of Management, which clearly fall within the definition of “personal affairs” as detailed in (b) above.

As such, it is recommended that the confidentiality order relating to the Appendices of the Report *Cove Sports and Community Club, SGC010205F01* be retained.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. The previous release of the Report *Cove Sports and Community Club*, SGC010205F01, together with retaining the confidentiality of the personal information that is contained within the appendices to the Report, demonstrates a balanced approach to transparent decision-making whilst also protecting against the unreasonable disclosure of information concerning the personal affairs of any person.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personal Matter, GC090805F02

Ref No: GC091214R11 – (39)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personal Matter, GC090805F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personal Matter, GC090805F02</i>' together with any attachments 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) of the <i>Local Government Act 1999</i>); - that is subject to legal professional privilege (Section 90(3)(h). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 9 August 2005, Council ordered that the Report, together with any attachments and the minutes arising from the Report relating to *Personal Matter, GC090805F02* be kept confidential for a period of 12 months, to be reviewed in December 2005. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (living or dead).

The order has subsequently been reviewed annually since 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personal Matter, GC090805F02*' together with any attachments 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) of the Local Government Act 1999);
 - that is subject to legal professional privilege (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 2014 meeting of Council

As required by the Act, and the above resolution, the above confidentiality order is again due for review.

ANALYSIS

Given the Report still contains personal information and also provides advice from Council's legal adviser that is subject to legal professional privilege, it is recommended that the confidentiality order associated with this Report remain in place – reference Sections 90(3)(a) and (h) of the Act.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) and (h) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personal Matter, GC090805F02* is necessary to ensure that Council does not prematurely disclose personal information or information that is subject to legal professional privilege.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Reserve at Elizabeth Crescent Hallett Cove – Cancellation
of Contract for the Sale and Purchase of Land, GC271112

Report Reference: GC091214R11 – (40)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Reserve at Elizabeth Crescent Hallett Cove – Cancellation of Contract for the Sale and Purchase of Land, GC271112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That Council:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, *Reserve at Elizabeth Crescent Hallett Cove – Cancellation of Contract for the Sale and Purchase of Land, GC271112F01* and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the *Local Government Act 1999* be kept confidential and not available for public inspection on the basis the information relates to information, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

9 Dec 14

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 2015.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 November 2012 Council ordered that the Report *Reserve at Elizabeth Crescent Hallett Cove – Cancellation of Contract for the Sale and Purchase of Land, GC271112F01* and the minutes arising from this report be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting to be reviewed in December 2013. The order was made on the basis that the information relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) – Section 90(2) and (3)(a) of the Act.

The confidentiality order has been reviewed annually since 2012. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. **In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, *Reserve at Elizabeth Crescent Hallett Cove – Cancellation of Contract for the Sale and Purchase of Land, GC271112F01* and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the *Local Government Act 1999* be kept confidential and not available for public inspection on the basis the information relates to information, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).**

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

2. **This confidentiality order will be reviewed at the General Council meeting in December 2014.**

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANAYLSIS

On review of the original Report, it has been noted that the information concerning the personal affairs of any person (living or dead) is still relevant to the content of the report and as the matter is not yet finalised, it is recommended that the confidentiality order pursuant to Section (90)(3)(a) of the Act remain in force.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Reserve at Elizabeth Crescent Hallett Cove – Cancellation of Contract for the Sale and Purchase of Land, GC271112F01* is necessary to ensure that Council does not disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for Item:
Code of Conduct
GC270514F02

Report Reference: GC091214R11 – (41)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the “*Code of Conduct GC270514F02*” in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

1. That the confidentiality order pertaining to the Report ‘Review of Confidential Order for the Item “*Code of Conduct GC270514F02*” together with the minutes arising from the report be retained on the grounds that it relates to information that must be considered in confidence in order to ensure that the council does not breach any legal obligation or duty (Section 90(2) and (3)(e), (f) and (g) of the Local Government Act 1999).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 May 2014, Council ordered that the report “*Code of Conduct GC270514F02*”, and any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(e), (f) and (g) of the Act be kept confidential until such time as the conditions of confidentiality no longer exist. This confidentiality order will be reviewed at the General Council Meeting in December 2014.

The orders were made on the basis that the report contains information that may affect the safety of persons and information the disclosure of which could reasonably be expected to prejudice the maintenance of law and / or breach Council's duty of confidence.

In accordance with Council's resolution, the order relating to the Report "*Code of Conduct GC270514F02*" is being reviewed.

ANAYLSIS

On review of the original Report it is noted that it continues to contain that may affect the safety of persons and information the disclosure of which could reasonably be expected to prejudice the maintenance of law and / or breach Council's duty of confidence - Sections 90(3)(e), (f) and (g) of the Act. As such it is recommended that the confidentiality order relating to this matter remain in force until such time as the conditions of confidentiality no longer exist.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Code of Conduct GC270514F02*" and associated attachments is necessary to ensure that Council does not breach any other legal obligation or duty.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for Item:
Code of Conduct Complaint
GC240614F01

Report Reference: GC091214R11 – (42)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the “*Code of Conduct Complaint GC240614F01*” in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (1)

DUE DATES

1. That the confidentiality order pertaining to the Report ‘Review of Confidential Order for the Item “*Code of Conduct Complaint GC240614F01*” together with the minutes arising from the report be retained on the grounds that it relates to information that must be considered in confidence in order to ensure that the council does not breach any legal obligation or duty (Section 90(2) and (3)(g) of the *Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 June 2014, Council ordered that the report “*Code of Conduct Complaint GC240614F01*”, and any attachment to this report and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(g) of the Act be kept confidential until such time as the conditions of confidentiality no longer exist. This confidentiality order will be reviewed at the General Council Meeting in December 2014.

The orders were made on the basis that the report contains information that must be considered in confidence in order to ensure that the council does not breach any legal obligation or duty.

In accordance with Council's resolution, the order relating to the Report "*Code of Conduct Complaint GC240614F01*" is being reviewed.

ANAYLSIS

On review of the original Report it is noted that it continues to contain information that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act. As such it is recommended that the confidentiality order relating to this matter remain in force until such time as the conditions of confidentiality no longer exist.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report "*Code of Conduct Complaint GC240614F01*" and associated attachments is necessary to ensure that Council does not prematurely disclose personal information or breach any other legal obligation or duty.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Orders for multiple items re:
Personnel Matter – CEO Performance Reviews

Ref No: GC091214R0 (43)

REPORT OBJECTIVE:

To review multiple confidential items relating to the conduct of Chief Executive Officer performance and remuneration reviews since 2003 in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

These items are addressed in the attached reports, the resolutions of which will be recorded individually in the minutes of the Council meeting.

RECOMMENDATIONS

As outlined in the attached reports.

DUE DATES

9 Dec 14

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2003,
CC300404F01

Ref No: GC091214R11 – (43) Appendix 1

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2003, CC300404F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '<i>Personnel Matter – CEO Performance Review 2003, CC300404F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2003* reference number CC300404F01 was last reviewed at the 10 December 2013 meeting of Council. At this meeting it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2003, CC300404F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANAYLSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2003* reference number CC300404F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2003,
CRC150604F01

Ref No: GC091214R11 – (43) Appendix 2

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2003, CRC150604F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Performance Review 2003, CRC150604F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>. This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2003* reference number CRC150604F01 was last reviewed at the 10 December 2013 meeting of Council. At this meeting it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2003, CRC150604F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANAYLSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2003* reference number CRC150604F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2003,
GC220604F01

Ref No: GC091214R11 – (43) Appendix 3

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2003, GC220604F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, 'Personnel Matter – CEO Performance Review 2003, GC220604F01' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2003* reference number GC220604F01 was last reviewed at the 10 December 2013 meeting of Council. At this meeting it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2003, GC220604F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANAYLSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2003* reference number GC220604F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2004,
GC280605F04

Ref No: GC091214R11 – (43) Appendix 4

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2004, GC280605F04* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2004, GC280605F04</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2004* reference number GC280605F04 has been reviewed annually since 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2004, GC280605F04*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2004* reference number GC280605F04 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2004,
CRC060505F01

Ref No: GC091214R11 – (43) Appendix 5

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2004, CRC060505F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2004, CRC060505F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2004* reference number CRC060505F01 has been reviewed annually since 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2004, CRC060505F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2004* reference number CRC060505F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2004,
CRC200605F01

Ref No: GC091214R11 – (43) Appendix 6

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2004, CRC200605F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2004, CRC200605F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2004* reference number CRC200605F01 has been reviewed annually since 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2004, CRC200605F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2004* reference number CRC200605F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2005,
CRC281105F01

Ref No: GC091214R11 – (43) Appendix 7

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2005, CRC281105F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2005, CRC281105F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

The confidentiality order concerning the Report and minutes relating to *Personnel Matter – CEO Performance Review 2005* reference number CRC281105F01 has been reviewed annually since 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2005, CRC281105F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2005* reference number CRC281105F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CRC Committee Recommendations – re Personnel Matter –
CEO Performance Review 2005, GC061205F02

Ref No: GC091214R11 – (43) Appendix 8

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CRC Committee Recommendations – re Personnel Matter – CEO Performance Review 2005, GC061205F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>CRC Committee Recommendations – re Personnel Matter – CEO Performance Review 2005, GC061205F02</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 6 December 2005, the Council ordered that the Report and minutes relating to *CRC Committee Recommendations – re Personnel Matter – CEO Performance Review 2005* reference number GC061205F02 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2006. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2006. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*CRC Committee Recommendations – re Personnel Matter – CEO Performance Review 2005, GC061205F02*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *CRC Committee Recommendations – re Personnel Matter – CEO Performance Review 2005* reference number GC061205F02 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – Chief Executive Review 2004/2005,
CRC110506F01

Ref No: GC091214R11 – (43) Appendix 9

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – Chief Executive Review 2004/2005, CRC110506F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – Chief Executive Review 2004/2005, CRC110506F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11th of May 2006, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – Chief Executive Review 2004/2005* reference number CRC281105F01 be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's 2004-2005 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – Chief Executive Review 2004/2005* reference number CRC281105F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – Chief Executive Employment Agreement
Review, CRC110506F02

Ref No: GC091214R11 – (43) Appendix 10

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – Chief Executive Employment Agreement Review, CRC110506F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – Chief Executive Employment Agreement Review, CRC110506F02</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11th of May 2006, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – Chief Executive Employment Agreement Review*, reference number CRC110506F02 be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's Employment Agreement review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Chief Executive Employment Agreement Review*, reference number CRC110506F02 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2005,
SGC160506F01

Ref No: GC091214R11 – (43) Appendix 11

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2005, SGC160506F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, 'Personnel Matter – CEO Performance Review 2005, SGC160506F01' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 16 May 2006, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2005* reference number SGC160506F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2006. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2006. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2005, SGC160506F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2005* reference number SGC160506F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Employment Agreement Review,
SGC160506F02

Ref No: GC091214R11 – (43) Appendix 12

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Employment Agreement Review, SGC160506F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' <i>Personnel Matter – CEO Employment Agreement Review, SGC160506F02</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the Local Government Act 1999).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 16 May 2006, the Council ordered that the Report and minutes relating to *Personnel Matter – CEO Employment Agreement Review* reference number SGC160506F02 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2006. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2006. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Employment Agreement Review, SGC160506F02*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Employment Agreement Review* reference number SGC160506F02 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2006-2007,
CRC250707F01

Ref No: GC091214R11 – (43) Appendix 13

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2006-2007, CRC250707F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – CEO Performance Review 2006-2007, CRC250707F01</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 25th July 2007, Council ordered that the Report, Appendix, minutes arising from this report *Personnel Matter – CEO Performance Review 2006-2007, CRC250707F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's Performance Review 2006-2007 – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2006-2007*, reference number *CRC250707F01*, is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review, GC140807F01
Ref No: GC091214R11 – (43) Appendix 14

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review, GC140807F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review, GC140807F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 14 August 2007, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review* reference number GC140807F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2007. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review, GC140807F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review* reference number GC140807F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Remuneration Review 2006-2007,
CRC061107F01

Ref No: GC091214R11 – (43) Appendix 15

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Remuneration Review 2006-2007, CRC061107F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – CEO Remuneration Review 2006-2007, CRC061107F01</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 6th November 2007, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – CEO Remuneration Review 2006-2007, CRC061107F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's Remuneration Review 2006-2007 – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Remuneration Review 2006-2007, reference number CRC061107F01*, is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Remuneration Review, GC131107F01

Ref No: GC091214R11 – (43) Appendix 16

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Remuneration Review, GC131107F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Remuneration Review, GC131107F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 November 2007, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Remuneration Review* reference number GC131107F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2007. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Remuneration Review, GC131107F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Remuneration Review* reference number GC131107F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Remuneration Review, GC131107F02

Ref No: GC091214R11 – (43) Appendix 17

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Remuneration Review, GC131107F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Remuneration Review, GC131107F02</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 November 2007, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Remuneration Review* reference number GC131107F02 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2007. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Remuneration Review, GC131107F02*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Remuneration Review* reference number GC131107F02 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2007-2008,
CRC140708F01

Ref No: GC091214R11 – (43) Appendix 18

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2007-2008, CRC140708F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2007-2008, CRC140708F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 14 July 2008, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2007-2008* reference number CRC140708F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2008. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This order has been reviewed annually since 2008. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2007-2008, CRC140708F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Personnel Matter – CEO Performance Review 2007-2008, CRC140708F01* is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2007-2008* reference number CRC140708F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Remuneration Review, CRC151208F01

Ref No: GC091214R11 – (43) Appendix 19

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Remuneration Review, CRC151208F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – CEO Remuneration Review, CRC151208F01</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 15th December 2008, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – CEO Remuneration Review, CRC151208F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the information relates to the Chief Executive Officer's Remuneration Review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Remuneration Review*, reference number *CRC151208F01*, is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2007-2008,
CRC030209F01

Ref No: GC091214R11 – (43) Appendix 20

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2007-2008, CRC030209F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2007-2008, CRC030209F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 3 February 2009, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2007-2008* reference number CRC030209F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2007-2008, CRC030209F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2007-2008* reference number CRC030209F01 is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2007-2008,
GC100209F01

Ref No: GC091214R11 – (43) Appendix 21

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2007-2008, GC100209F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '<i>Personnel Matter – CEO Performance Review 2007-2008, GC100209F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 10 February 2009, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2007-2008* reference number GC100209F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2007-2008, GC100209F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2007-2008* reference number GC100209F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2008-2009,
CRC290909F01

Ref No: GC091214R11 – (43) Appendix 22

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2008-2009, CRC290909F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2008-2009, CRC290909F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 29 September 2009, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2008-2009* reference number CRC290909F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2008-2009, CRC290909F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2008-2009* reference number CRC290909F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance & Remuneration Review
2008-2009, SGC201009F01

Ref No: GC091214R11 – (43) Appendix 23

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance & Remuneration Review 2008-2009, SGC201009F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance & Remuneration Review 2008-2009, SGC201009F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 20 October 2009, Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance & Remuneration Review 2008-2009* reference number SGC201009F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance & Remuneration Review 2008-2009, SGC201009F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance & Remuneration Review 2008-2009* reference number SGC201009F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2008-2009,
CRC101109F01

Ref No: GC091214R11 – (43) Appendix 24

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2008-2009, CRC101109F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance Review 2008-2009, CRC101109F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 10 November 2009, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance Review 2008-2009* reference number CRC101109F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance Review 2008-2009, CRC101109F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council

As required by the Act, the above confidentiality order is now due for review

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2008-2009* reference number CRC101109F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Minutes of Chief Executive Review Committee Meeting,
GC241109F01

Ref No: GC091214R11 – (43) Appendix 25

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Minutes of Chief Executive Review Committee Meeting, GC241109F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, 'Minutes of Chief Executive Review Committee Meeting, GC241109F01' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 24 November 2009, Council ordered that the Report and minutes relating to *Minutes of Chief Executive Review Committee Meeting* reference number GC241109F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2009. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order was reviewed at the Council meeting held 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Minutes of Chief Executive Review Committee Meeting, GC241109F01' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

As required by the Act, the above confidentiality order is now due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Minutes of Chief Executive Review Committee Meeting* reference number GC241109F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2008-2009, CRC111209F01

Ref No: GC091214R11 – (43) Appendix 26

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC111209F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC111209F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	09 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11 December 2009, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number CRC111209F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC111209F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number CRC111209F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2008-2009, CRC171209F01

Ref No: GC091214R11 – (43) Appendix 27

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC171209F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '<i>Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC171209F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 17 December 2009, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number CRC171209F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2008-2009, CRC171209F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number CRC171209F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2008-2009, GC090210F01

Ref No: GC091214R11 – (43) Appendix 28

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009, GC090210F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Performance and Remuneration Review 2008-2009, GC090210F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 9 February 2010, the Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number GC090210F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2008-2009, GC090210F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2008-2009* reference number GC090210F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2009-2010, GC110510F01

Ref No: GC091214R11 – (43) Appendix 29

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC110510F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC110510F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 11 May 2010, the Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number GC110510F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC110510F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number GC110510F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration Review
2009-2010, CRC170810F01

Ref No: GC091214R11 – (43) Appendix 30

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010, CRC170810F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter – CEO Performance and Remuneration Review 2009-2010, CRC170810F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 17 August 2010, the Chief Executive Review Committee ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number CRC170810F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order has been reviewed annually since 2010. At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2009-2010, CRC170810F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number CRC170810F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration Review
2009-2010, GC240810F01

Ref No: GC091214R11 – (43) Appendix 31

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC240810F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, ' <i>Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC240810F01</i> ' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 24 August 2010, the Council ordered that the Report and minutes relating to *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number GC240810F01 be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order has been reviewed annually since 2010. At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter – CEO Performance and Remuneration Review 2009-2010, GC240810F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2009-2010* reference number GC240810F01 is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter - CEO Performance Criteria 2010-2011,
GC140910F01

Ref No: GC091214R11 – (43) Appendix 32

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter - CEO Performance Criteria 2010-2011, GC140910F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Personnel Matter - CEO Performance Criteria 2010-2011, GC140910F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 14 September 2010, Council ordered that the Report and minutes relating to *Personnel Matter - CEO Performance Criteria 2010-2011*, reference number *GC140910F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2010. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

This confidentiality order has been reviewed annually since 2010. At the Council meeting held 10 December 2013 the confidentiality order was reviewed, as required by the Act, and it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Personnel Matter - CEO Performance Criteria 2010-2011, GC140910F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter - CEO Performance Criteria 2010-2011* reference number *GC140910F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CEO Performance & Remuneration Review 2010-2011,
CRC251011F01

Ref No: GC091214R11 – (43) Appendix 33

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance & Remuneration Review 2010-2011, CRC251011F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>CEO Performance & Remuneration Review 2010-2011, CRC251011F01</i>' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 25 October 2011, the Chief Executive Review Committee ordered that the Report and minutes relating to *CEO Performance & Remuneration Review 2010-2011*, reference number *CRC251011F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2011. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2011. It was last reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*CEO Performance & Remuneration Review 2010-2011, CRC251011F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *CEO Performance & Remuneration Review 2010-2011* reference number *CRC251011F01* is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Draft CEO Review Committee Meeting Minutes, GC081111F01

Ref No: GC091214R11 – (43) Appendix 34

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Draft CEO Review Committee Meeting Minutes, GC081111F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, 'Draft CEO Review Committee Meeting Minutes, GC081111F01' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 8 November 2011, Council ordered that the Report and minutes relating to *Draft CEO Review Committee Meeting Minutes*, reference number *GC081111F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2011. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer – Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2011. It was last reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Draft CEO Review Committee Meeting Minutes, GC081111F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Draft CEO Review Committee Meeting Minutes* reference number *GC081111F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

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

Ref No: GC091214R11 – (43) Appendix 35

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i> .	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 29th November 2011, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the report contains personal information associated with the remuneration review of the Chief Executive Officer – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01* is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Draft CEO Review Committee Meeting Minutes, GC131211F01

Ref No: GC091214R11 – (43) Appendix 36

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Draft CEO Review Committee Meeting Minutes, GC131211F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Draft CEO Review Committee Meeting Minutes, GC131211F01* and associated appendices and the minutes arising from this report be kept confidential and not available for the public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning a tender for the provision of services (Section 90(3)(a) and (k) of the *Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 December 2011, Council ordered that the Report and minutes relating to *Draft CEO Review Committee Meeting Minutes, GC131211F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the Report contained information disclosure of which would involve the unreasonable disclosure of information concerning a tender for the provision of services. Section 90(3)(a) and (k).

The above confidentiality order has been reviewed annually since 2011. It was last reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Draft CEO Review Committee Meeting Minutes, GC081111F01*' 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) and (3)(k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Draft CEO Review Committee Meeting Minutes, GC131211F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CEO Performance Review 2010 – 2011 & Employment
Agreement Review, CRC140212F01

Ref No: GC091214R11 – (43) Appendix 37

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01</i> and the minutes arising from this report be kept confidential and not available for the public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council. (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 February 2012, the Committee ordered that the Report and minutes relating to the Report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the Report contained information relating to the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration and employment review. Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* and the minutes arising from this report be kept confidential and not available for the 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(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 2014 meeting of Council

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Employment
Agreement Review, SGC270212F02

Ref No: GC091214R11 – (43) Appendix 38

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Employment Agreement Review, SG270212F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Personnel Matter – CEO Performance and Employment Agreement Review, SG270212F02</i> and the minutes arising from this report be kept confidential and not available for the 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 living or dead being the Chief Executive Officer. (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 February 2012, Council ordered that the Report and minutes relating to the Report *CEO Performance and Employment Agreement Review, SG270212F02* be kept confidential until the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer - Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Personnel Matter – CEO Performance and Employment Agreement Review, SG270212F02* and the minutes arising from this report be kept confidential and not available for the 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 living or dead being the Chief Executive Officer. (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Employment Agreement Review, SG270212F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Confirmation of Minutes, GC130312F01

Ref No: GC091214R11 – (43) Appendix 39

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of Minutes, GC130312F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes, GC130312F01*, the minutes arising from this report and any other information 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 living or dead being the Chief Executive Officer (*Section 90(2) and (3)(a) of the Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 13 March 2012, Council ordered that the Report *Confirmation of Minutes, GC130312F01*, the minutes arising from this report and any other information distributed at the meeting be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment to be reviewed in December 2012. This order was made 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 living or dead being the Chief Executive Officer – Section 90(2) and (3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council. At this meeting it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes, GC130312F01*, the minutes arising from this report and any other information 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 living or dead being the Chief Executive Officer (*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 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Confirmation of Minutes, GC130312F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2013**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Employment
Agreement Review, CRC060312F01

Ref No: GC091214R11 – (43) Appendix 40

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Employment Agreement Review, CRC060312F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>CEO Performance and Employment Agreement Review, CRC060312F01</i> and the minutes arising from this report be kept confidential and not available for the public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information relating to the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration and Employment Agreement review. (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 6 March 2012, the committee ordered that the Report and minutes relating to the Report *Personnel Matter – CEO Performance and Employment Agreement Review*, be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment. This order was made on the basis that the Report contained information relating to the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration and Employment Agreement Review. Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *CEO Performance and Employment Agreement Review, CRC060312F01* and the minutes arising from this report be kept confidential and not available for the public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information relating to the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration and Employment Agreement review. (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Employment Agreement Review*, is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Review 2010-2011 and
Employment Agreement Review, SGC050412F01

Ref No: GC091214R11 – (43) Appendix 41

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01</i> the minutes arising from this report and any other information distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information concerning the personal affairs of a person living or dead being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>) This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 5 April 2012, the council ordered that this report *Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01*, the minutes arising from this report and any other information distributed at the meeting be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made 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 living or dead being the Chief Executive Officer – Section (90)(2) and (3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01* the minutes arising from this report and any other information distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information concerning the personal affairs of a person living or dead being the Chief Executive Officer (Section 90(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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance Review 2010-2011 and Employment Agreement Review, SGC050412F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CEO Performance & Remuneration Review, CRC160412F01

Ref No: GC091214R11 – (43) Appendix 42

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance & Remuneration Review, CRC160412F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>CEO Performance & Remuneration Review, CRC160412F01</i>, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for the 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 living or dead being the Chief Executive Officer. (Section 90(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 16 April 2012, the Committee ordered that the Report, the minutes arising from the report and any other material distributed at the meeting relating to the Report *CEO Performance & Remuneration Review, CRC160412F01* be kept confidential and not available for public inspection until the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the report contained information relating to the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration review. Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *CEO Performance & Remuneration Review, CRC160412F01*, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for the 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 living or dead being the Chief Executive Officer. (Section 90(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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *CEO Performance & Remuneration Review, CRC160412F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Minutes of the CEO Review Committee Meeting Held 16 April
2012, GC240412F02

Ref No: GC091214R11 – (43) Appendix 43

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Minutes of the CEO Review Committee Meeting held 16 April 2012, GC240412F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Minutes of the CEO Review Committee Meeting held 16 April 2012, GC240412F02</i> and the minutes arising from this report be kept confidential and not available for the 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(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 14 February 2012, Council ordered that the Report and minutes relating to the Report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* be kept confidential until the Chief Executive retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the Report contained information relating to the appointment of an external consultant for the conduct of the Chief Executive Officer's 2010-2011 performance and remuneration and Employment Agreement review. Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Minutes of the CEO Review Committee Meeting held 16 April 2012, GC240412F02* and the minutes arising from this report be kept confidential and not available for the 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(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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *CEO Performance Review 2010-2011 & Employment Agreement Review, CRC140212F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter CEO Performance & Remuneration Review
2010-2011, GC260612F01

Ref No: GC091214R11 – (43) Appendix 44

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01</i> and the minutes arising from this report be kept confidential and not available for the 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(3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 June 2012, the committee ordered that the Report and minutes relating to the Report *Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis that the Report contained information relating to the outcomes of the Chief Executive Officer's 2010-2011 performance & remuneration review.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01* and the minutes arising from this report be kept confidential and not available for the 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(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 confidentiality order be reviewed at the December 2014 meeting of Council

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter CEO Performance & Remuneration Review 2010-2011, GC260612F01*, is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2011-2012, CRC210812F01

Ref No: GC091214R11 – (43) Appendix 45

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, <i>Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01</i> 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 would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer (Section 90(3)(a) of the <i>Local Government Act 1999</i>. This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 21st August 2012, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment. This order was made on the basis the report contains personal information associated with the remuneration review of the Chief Executive Officer – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Performance and Remuneration Review 2011-2012, CRC210812F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Confirmation of Minutes of CEO Review Committee Meeting
held 21 August 2012, GC280812F01

Ref No: GC091214R11 – (43) Appendix 46

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01</i> and the minutes arising from this report having been considered in confidence under Section 90(2)(3)(a) of the Act be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer. This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 August 2012, Council ordered that the Report and minutes relating to *Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01* be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the report contains information relating to the conduct of the Chief Executive Officer's 2011-2012 Performance and remuneration review. Section 90(2) and (3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01* and the minutes arising from this report having been considered in confidence under Section 90(2)(3)(a) of the Act be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer.

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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the *Confirmation of Minutes of CEO Review Committee Meeting held 21 August 2012, GC280812F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Professional Development Update,
CRC021012F01

Ref No: GC091214R11 – (43) Appendix 47

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Professional Development Update, CRC021012F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that this report <i>Personnel Matter – CEO Professional Development Update</i>, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer. (<i>Section 90(3)(a) of the Local Government Act 1999</i>) This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 2 October 2012, the committee ordered that the Report, *Personnel Matter – CEO Professional Development Update, CRC021012F01* minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the report contained information relating to the CEO's professional development – Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report *Personnel Matter – CEO Professional Development Update*, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer. (*Section 90(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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – CEO Professional Development Update, CRC021012F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – 2011/2012 CEO Performance &
Remuneration Review, CRC021012F02

Ref No: GC091214R11 – (43) Appendix 48

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – 2011/2012 CEO Performance & Remuneration Review, CRC021012F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the council orders that this report <i>Personnel Matter – 2011/2012 CEO Performance & Remuneration Review</i>, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer – <i>Section 90(2) and (3)(a) of the Local Government Act 1999</i> This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 2 October 2012, the Committee ordered that the report *Personnel Matter – 2011/2012 CEO Performance & Remuneration Review, CRC021012F02*, minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection until such time as the Chief Executive Officer retires from gainful employment, to be reviewed in December 2012. This order was made on the basis that the report contained information relating to the conduct of the Chief Executive Officer's 2011-2012 performance & Remuneration Review – Section 90(3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the council orders that this report *Personnel Matter – 2011/2012 CEO Performance & Remuneration Review*, the minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer – *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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Personnel Matter – 2011/2012 CEO Performance & Remuneration Review, CRC021012F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Confirmation of Minutes of CEO Review Committee Meeting
held 2 October 2012, GC091012F02

Ref No: GC091214R11 – (43) Appendix 49

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02</i>, and the 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 a person being the Chief Executive Officer of the Council – Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>. This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 9 October 2012, Council ordered that the report *Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02* and the minutes arising from this report be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment to be reviewed in December 2012. This order was made 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 Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02*, and the 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 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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Confirmation of Minutes of CEO Review Committee Meeting held 2 October 2012, GC091012F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Professional Development Update,
CRC201112F01

Ref No: GC091214R11 – (43) Appendix 50

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Professional Development Update, CRC201112F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that this report <i>Personnel Matter – CEO Professional Development Update, CRC201112F01</i> this minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer. (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>) This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 20 November 2012, Council ordered that the Report, minutes arising from this report and any other material distributed at the meeting relating to *Personnel Matter – CEO Professional Development Update, CRC201112F01* be kept confidential and not available for public inspection until such times as the Chief Executive Officer retires from gainful employment to be reviewed in December 2012. This order was made on the basis that it deals with information relating to the Chief Executive Officer's professional development – Section 90(2) and (3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report *Personnel Matter – CEO Professional Development Update, CRC201112F01* this minutes arising from this report and any other material distributed at the meeting be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person living or dead being the Chief Executive Officer. (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 2014 meeting of Council.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Professional Development Update, CRC201112F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2011 – 2012, CRC201112F01

Ref No: GC091214R11 – (43) Appendix 51

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 20 November 2012, Council ordered that the Report, minutes arising from this report relating to *Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the outcomes of the Chief Executive Officer's 2011 – 2012 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02* 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 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 2014 meeting of Council

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Performance and Remuneration Review 2011 – 2012, CRC201112F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Confirmation of Minutes of CEO Review Committee Meeting
held 20 November 2012, GC271112F02

Ref No: GC091214R11 – (43) Appendix 52

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02* the minutes and any other material distributed in conjunction with this report be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (*Section 90(2) and (3)(a) of the Local Government Act 1999*).

9 Dec 14

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 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 November 2012, Council ordered that the Report *Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02*, the minutes and any other material distributed in conjunction with this report be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis that the report contains information relating to the 2011/2012 CEO Performance and Remuneration Review 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 Act.

The above confidentiality order has been reviewed annually since 2012. It was last reviewed at the 10 December 2013 meeting of Council where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02* the minutes and any other material distributed in conjunction with this report be kept confidential and not available for public inspection on the basis it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Officer of the Council (*Section 90(2) and (3)(a) of the Local Government Act 1999*).

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

2. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the Councils scheduled annual review of confidentiality orders, the order is being reviewed.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the *Confirmation of Minutes of CEO Review Committee Meeting held 20 November 2012, GC271112F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Criteria 2012 – 2013,
CRC020413F01

Ref No: GC091214R11 – (43) Appendix 53

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01</i> 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 a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 2nd of April 2013, the Chief Executive Review Committee ordered that the Report, minutes arising from this report relating to *Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above confidentiality order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01* 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 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 confidentiality order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, CRC020413F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance Criteria 2012 – 2013,
GC090413F01

Ref No: GC091214R11 – (43) Appendix 54

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 9th of April 2013, Council ordered that the Report, minutes arising from this report relating to *Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01* 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 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 2014 meeting of Council.

In accordance with the Act and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Performance Criteria 2012 – 2013, GC090413F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – 2012/13 CEO Performance and
Remuneration Review, GC130813F02 / GC270813F01

Ref No: GC091214R11 – (43) Appendix 55

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 13th of August 2013 the item *Personnel Matter 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01* was left lying on the table to be considered at the next meeting. Then on the 27th of August 2013 Council ordered that the Report, appendix and minutes arising from this report relating to be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01* 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 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 2014 meeting of Council.

In accordance with the Act and the above resolution, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – 2012/13 CEO Performance and Remuneration Review, GC130813F02 / GC270813F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2012 – 2013, CRC170913F01

Ref No: GC091214R11 – (43) Appendix 56

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>).	9 Dec 14
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 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 17th of September 2013, the Chief Executive Review Committee ordered that the Report, minutes arising from this report relating to *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01* 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 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 2014 meeting of Council.

In accordance with the Act and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC170913F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Confirmation of Minutes of CEO Review Committee Meeting
held 17 September 2013, GC240913F02

Ref No: GC091214R11 – (43) Appendix 57

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 24th of September 2013, Council ordered that the Report, Appendix, minutes arising from this report relating to *Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02* 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 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 2014 meeting of Council.

In accordance with the Act and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Confirmation of Minutes of CEO Review Committee Meeting held 17 September 2013, GC240913F02* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter – CEO Performance and Remuneration
Review 2012 – 2013, CRC251113F01

Ref No: GC091214R11 – (43) Appendix 58

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01</i> 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 a person being the Chief Executive Officer of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 25th November 2013, the Chief Executive Review Committee ordered that the Report, minutes arising from this report relating to *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

On 10 December 2013, Council reviewed the above order and resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01* 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 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 2014 meeting of Council.

In accordance with the Act and the above resolution, the confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter – CEO Performance and Remuneration Review 2012 – 2013, CRC251113F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Personnel Matter - CEO Performance and Remuneration
Review 2012-2013, GC101214F03

Ref No: GC091214R11 – (43) Appendix 58

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03</i> 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 a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 10th of December 2013, Council ordered that the Report, Appendix, minutes arising from this report relating to *Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2013. This order was made on the basis the information relates to the Chief Executive Officer's 2012 -2013 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *Personnel Matter - CEO Performance and Remuneration Review 2012-2013, GC101214F03* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
2013-2014 CEO Performance and Remuneration Review, GC
080714F01

Ref No: GC091214R11 – (43) Appendix 60

REPORT OBJECTIVE:

To review the confidential item relating to the Report *2013-2014 CEO Performance and Remuneration Review, GC 080714F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>2013-2014 CEO Performance and Remuneration Review, GC 080714F01</i> and 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 8th July 2014, Council ordered that the Report and Appendix to this report relating to *2013-2014 CEO Performance and Remuneration Review, GC 080714F01* be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2014. This order was made on the basis the information relates to the Chief Executive Officer's 2013 -2014 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *2013-2014 CEO Performance and Remuneration Review, GC 080714F01* is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CEO Performance and Remuneration Review, CRC120814F01

Ref No: GC091214R11 – (43) Appendix 61

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance and Remuneration Review, CRC120814F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Performance and Remuneration Review, CRC120814F01</i>, 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 12th August 2014, Council ordered that the Report and minutes arising from this report relating to *CEO Performance and Remuneration Review, CRC120814F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2014. This order was made on the basis the information relates to the Chief Executive Officer's 2013 -2014 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Performance and Remuneration Review, CRC120814F01* is necessary to ensure that Council does not prematurely disclose personal information.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
CEO Performance and Remuneration Review, GC260814F01

Ref No: GC091214R11 – (43) Appendix 62

REPORT OBJECTIVE:

To review the confidential item relating to the Report *CEO Performance and Remuneration Review, GC260814F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report <i>CEO Performance and Remuneration Review, GC260814F01</i> 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 <i>Local Government Act 1999</i>). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment.	9 Dec 14
2. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On the 26th August 2014, Council ordered that the Report and minutes arising from this report relating to *CEO Performance and Remuneration Review, GC260814F01*, be kept confidential and not available for public inspection for the period that the Chief Executive Officer remains in gainful employment, to be reviewed in December 2014. This order was made on the basis the information relates to the Chief Executive Officer's 2013 -2014 performance and remuneration review – Section 90(2) and (3)(a) of the Act.

In accordance with the Act, the above confidentiality order is due for review.

ANALYSIS

Given the Chief Executive Officer remains in gainful employment (currently with the City of Marion), it is recommended that the confidentiality order associated with this Report remain in place.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the report *CEO Performance and Remuneration Review, GC260814F01* is necessary to ensure that Council does not prematurely disclose personal information.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Development Assessment Panel, GC270503F101

Ref No: GC091214R11 - (44)

REPORT OBJECTIVE / EXECUTIVE SUMMARY

To review the confidential item relating to the Report *Development Assessment Panel, GC270503F101* in accordance with Section 91(9) of the *Local Government Act 1999*.

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendices to the Report, "<i>Development Assessment Panel GC270503F101</i>" be kept confidential on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to Council's Development Assessment Panel in the form of resumes (Section 90(3)(a) of the <i>Local Government Act 1999</i>). 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.	9 Dec 2014
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 2015
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 2014
4. Unless revoked prior, this confidential order be reviewed at the December 2015 meeting of Council.	Dec 2015

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 May 2003, Council ordered that the report and associated documents relating to the *Development Assessment Panel (DAP)*, GC270503F101 (the Report) be kept confidential until 31 January 2004, after which time the order was to be reviewed. The Report outlined details of a nomination process for the appointment of members to Council's DAP and contained information that reflected the "personal affairs" of the nominees in the form of resumes.

As required by the Act, this confidentiality order has been reviewed annually since December 2003. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. *Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendices to the Report, "Development Assessment Panel GC270503F101" be kept confidential on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to Council's Development Assessment Panel in the form of resumes (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. *This confidential order be reviewed at the December 2014 meeting of Council.*

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Appendices to the Report *Development Assessment Panel (DAP)*, GC270503F101 is again due for review.

The Act defines "personal affairs" to include:

- (a) that person's-
 - (i) financial affairs
 - (ii) criminal records
 - (iii) marital or other personal relationships
 - (iv) personal qualities, attributes or health status
- (b) that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person...

ANALYSIS

On reviewing the original Report in December 2005, it was noted that the Report itself does not contain any information relating to the personal affairs of the nominees for appointment to Council's DAP and therefore the Report was released. However, the appendices to the Report comprised the resumes of 12 persons who nominated for the three positions of independent member on the DAP, which clearly fall within the definition of "personal affairs" as detailed in (b) above.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidentiality order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Appendices during the meeting prior to resolving the release or otherwise of the Appendices, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Appendices to the Report *Development Assessment Panel (DAP)* reference number GC270503F101 demonstrates openness and transparency.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Development Assessment Panel – Nomination for Independent
Membership, GC280605F01

Ref No: GC091214R11 - (45)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Development Assessment Panel – Nomination for Independent Membership, GC280605F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, “<i>Development Assessment Panel – Nomination for Independent Membership, GC280605F01</i>” together with any attachments and the minutes arising from the report be kept confidential on the basis that it contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to Council’s Development Assessment Panel (Section 90(3)(a) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 2015
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 2014
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 2015

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 June 2005, Council ordered that the report and associated documents relating to the *Development Assessment Panel – Nomination for Independent Membership, GC280605F01* (the Report) be kept confidential for a period of 12 months, to be reviewed in December 2005. The Report outlined details of a nomination process for the appointment of members to Council's Development Assessment Panel (DAP) and contained information that reflected the "personal affairs" of the nominees.

As required by the Act this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "*Development Assessment Panel – Nomination for Independent Membership, GC280605F01*" together with any attachments and the minutes arising from the report be kept confidential on the basis that it contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of nominees to Council's Development Assessment Panel (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. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the *Development Assessment Panel – Nomination for Independent Membership, GC280605F01* is again due for review.

The Act defines "personal affairs" to include:

- (a) that person's-
 - (i) financial affairs
 - (ii) criminal records
 - (iii) marital or other personal relationships
 - (iv) personal qualities, attributes or health status
- (b) that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person

ANALYSIS

On reviewing the original Report, it is noted that the Report, appendices and minutes contain information relating to the personal affairs of the nominees for appointment to Council's DAP. Such information clearly falls within the definition of "personal affairs" as detailed in (b) above and as such, it is recommended that the confidentiality order relating to the Report remains in force.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the personal information that is contained within the Report and associated documents demonstrates a balanced approach to transparent decision-making whilst also protecting against the unreasonable disclosure of information concerning the personal affairs of any person.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Alleged Breaches of the Code of Conduct for Elected Members
GC270104F01

Ref No: GC091214R11 - (46)

REPORT OBJECTIVE:

To review the confidential item relating to the matter *Alleged Breaches of the Code of Conduct for Elected Members, GC270104F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, “<i>Alleged Breaches of the Code of Conduct for Elected Members, GC270104F01</i>” together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with: a. 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). b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).	9 Dec 14

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15

3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 January 2004, Council ordered that the Report and minutes arising from the Report *Alleged Breaches of the Code of Conduct for Elected Members* reference number GC270104F01 (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2004. This order was made on the basis that the Report dealt 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 Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Alleged Breaches of the Code of Conduct for Elected Members, GC270104F01*" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a) 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).
 - b) Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

ANAYLSIS

The Report *Alleged Breaches of the Code of Conduct for Elected Members* reference number GC270104F01 outlines details of an alleged breach by an Elected Member against the Code of Conduct together with a proposed process for investigating the complaint. The report was considered in confidence as it disclosed individual names i.e. the complainant(s) and the person who was the subject of the complaint.

During the course of 2004, the complaint was investigated with the outcomes of the investigation and associated recommendations being reported (confidentially) to Council in May 2004, reference CC110504F01 *Alleged Breach of Elected Members' Code of Conduct*.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person(s), the disclosure of which would be unreasonable – Section 90(3)(a) of the Act, as well as information that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act. As such it is recommended that the confidentiality order relating to this matter remain in force for a further period of 12 months.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) and 3(g) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Alleged Breaches of the Code of Conduct for Elected Members* reference number GC270104F01, is necessary to ensure that Council does not prematurely disclose personal information or breach any other legal obligation or duty.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Legal Advice, CC100204F01

Ref No: GC091214R11 - (47)

REPORT OBJECTIVE:

To review the confidential item relating to the matter *Legal Advice, CC100204F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Legal Advice CC100204F01</i>" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with: a. 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 <i>Local Government Act 1999</i>). b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the <i>Local Government Act 1999</i>). This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.	10 Dec 13
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections	9 Dec 14

from relevant third parties or Elected Members.

- 4. This confidential order be reviewed at the December 2015 meeting of Council.**

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 10 February 2004, Council ordered that the Report and minutes arising from the Report *Legal Advice* reference number CC100204F01 (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2004. This order was made on the basis that the Report dealt 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 Act, and that Council had also received legal advice pertaining to the matter – Section 90(3)(h).

As required by the Act, this confidentiality order has been reviewed annually since December 2003. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, “*Legal Advice CC100204F01*” together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a) 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).
 - b) Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

ANALYSIS

Note that this report should be reviewed in conjunction with the following reports to be considered by Council at the 10 December 2013 meeting given they deal with related topics:

GC091214R11 - (46), Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members GC270104F01

GC091214R11 - (48), Review of Confidential Order for the Item: Alleged Breach of

Elected Members Code of Conduct, CC110504F01

GC091214R11 - (49), Review of Confidential Order for the Item: Occupational Health Safety and Welfare, GC250105F03

The Report *Legal Advice* reference number CC100204F01 outlined details of a request to seek legal advice during the process of investigation into an alleged breach of Council's Code of Conduct for Elected Members. The report was considered confidential on the basis that it contained information of a personal nature i.e. the name of the person who was the subject of the complaint together with details of the complaint. It did not provide specific legal advice that would be the subject of a confidentiality order under Section 90(3)(h) of the Act.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person (living or dead) – Section 90(3)(a) of the Act as well as information, that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act.

Given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2), (3)(a) and (3)(g) of the Act given the current confidentiality order is still in force.

Note also that if Council chooses to revoke the confidential order relating to this Report, it will need to do so subject to similar revocation orders being made for the following items listed for consideration at the 9 December 2014 meeting:

GC091214R11 - (46) ,	Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members GC270104F01
GC091214R11 - (48),	Review of Confidential Order for the Item: Alleged Breach of Elected Members Code of Conduct, CC110504F01
GC091214R11 - (49),	Review of Confidential Order for the Item: Occupational Health Safety and Welfare, GC250105F03

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Legal Advice* reference number CC100204F01, and minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for Item:
Alleged Breach of Elected Members' Code of Conduct
CC110504F01

Ref No: GC091214R11 - (48)

REPORT OBJECTIVE:

To review the confidential item relating to the matter *Alleged Breach of Elected Members Code of Conduct, CC110504F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, "*Alleged Breach of Elected Members Code of Conduct, CC110504F01*" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a. 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*).
 - b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the *Local Government Act 1999*).

9 Dec 14

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.
3. Council delegates the power to revoke this order of confidentiality

Mar 15

9 Dec14

to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.

- 4. This confidential order be reviewed at the December 2014 meeting of Council. Dec 15**

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 May 2004, Council ordered that the Report and minutes arising from the Report *Alleged Breach of Elected Members Code of Conduct* reference number CC110504F01 (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2004. This order was made on the basis that the Report 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 Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2004. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Alleged Breach of Elected Members Code of Conduct, CC110504F01*" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a. 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).
 - b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

ANAYLSIS

Note that this report should be reviewed in conjunction with the following reports to be considered by Council at the 9 December 2014 meeting given they deal with related topics:

GC091214R11 – (46),	Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members, GC270104F01
GC091214R11 – (47),	Review of Confidential Order for the Item: Legal Advice, CC100204F01
GC091214R11 – (49),	Review of Confidential Order for the Item: Occupational Health

Safety and Welfare, GC250105F03

The Report *Alleged Breach of Elected Members Code of Conduct* reference number CC110504F01 outlines the findings of an investigation into an alleged breach by an Elected Member against the Code of Conduct together with associated recommendations for Council consideration. The report was considered in confidence as it disclosed individual names i.e. the complainant(s) and the person who was the subject of the complaint.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person – Section 90(3)(a) of the Act as well as information, that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) and (3)(g) of the Local Government Act 1999 given the current confidentiality order is still in force.

Note also that if Council chooses to revoke the confidential order relating to this Report, it will need to do so subject to similar revocation orders being made for the following items listed for consideration at the 9 December 2014 meeting:

GC091214R11 – (46),	Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members, GC270104F01
GC091214R11 – (47),	Review of Confidential Order for the Item: Legal Advice, CC100204F01
GC091214R11 – (49),	Review of Confidential Order for the Item: Occupational Health Safety and Welfare, GC250105F03

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. The release of the Report *Alleged Breach of Elected Members Code of Conduct* reference number CC110504F01, and minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for Item:
Occupational Health, Safety and Welfare
GC250105F03

Ref No: GC091214R11 - (49)

REPORT OBJECTIVE:

To review the confidential item relating to the matter *Occupational Health, Safety and Welfare, GC250105F03* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Occupational Health, Safety and Welfare, GC250105F03</i>" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with: a. 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 <i>Local Government Act 1999</i>) b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the <i>Local Government Act 1999</i>). This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15

3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 January 2005, Council ordered that the Report and minutes arising from the Report *Occupational Health, Safety and Welfare* reference number GC250105F03 (the Report) be kept confidential until the Chief Executive retires from gainful employment, to be reviewed at the General Council meeting in December 2005. This order was made on the basis that the Report dealt 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 Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, "*Occupational Health, Safety and Welfare, GC250105F03*" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a) 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)
 - b) Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

ANALYSIS

Note that this report should be reviewed in conjunction with the following reports to be considered by Council at the 9 December 2014 meeting given they deal with related topics:

GC091214R11 - (46) , Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members GC270104F01

GC091214R11 - (47), Review of Confidential Order for the Item: Legal Advice, CC100204F01

GC091214R11 - (48), Review of Confidential Order for the Item: Alleged Breach of Elected Members Code of Conduct, CC110504F01

The Report *Occupational Health, Safety and Welfare* reference number GC250105F03 outlines the findings of an investigation into an alleged breach by an Elected Member against the Code of Conduct together with associated recommendations for Council consideration. This report followed other (related) confidential reports that were considered by Council in January and May 2004 namely, *Alleged Breaches of the Code of Conduct for Elected Members* reference number GC270104F01 and *Alleged Breach of Elected Members Code of Conduct* reference number CC110504F01.

The original report was considered in confidence as it disclosed individual names i.e. the complainant(s) and the person who was the subject of the complaint.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person(s) the disclosure of which would be unreasonable – Section 90(3)(a) of the Act as well as information, that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) and (3)(g) of the Local Government Act 1999 given the current confidentiality order is still in force.

Note also that if Council chooses to revoke the confidential order relating to this Report, it will need to do so subject to similar revocation orders being made for the following items listed for consideration at the 9 December 2014 meeting:

GC091214R11 - (46) , Review of Confidential Order for the Item: Alleged Breaches of the Code of Conduct for Elected Members GC270104F01

GC091214R11 - (47), Review of Confidential Order for the Item: Legal Advice, CC100204F01

GC091214R11 - (48),

Review of Confidential Order for the Item: Alleged Breach of
Elected Members Code of Conduct, CC110504F01

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Occupational Health, Safety and Welfare* reference number GC250105F03, demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Review of Confidential Order for the Item:
Occupational Health, Safety and Welfare, GC270905F01
Ref No: GC091214R11 – (50)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Occupational Health, Safety and Welfare, GC270905F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Occupational Health, Safety and Welfare, GC270905F01</i>' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that it deals with: a. 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 <i>Local Government Act 1999</i>). b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the <i>Local Government Act 1999</i>). This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections	9 Dec 14

from relevant third parties or Elected Members.

4. This confidential order be reviewed at the December 2015 meeting of Council

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 27 September 2005, Council ordered that the Report and the minutes arising from the Report relating to *Occupational Health, Safety and Welfare, GC270905F01* be kept confidential for a period of 12 months, to be reviewed in December 2005. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (living or dead) – Section 90(3)(a) of the Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Occupational Health, Safety and Welfare, GC270905F01*' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that it deals with:
 - a) 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).
 - b) Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the Local Government Act 1999).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

As required by the Act, the above confidentiality order is again due for review.

ANALYSIS

Note that this report should be reviewed in conjunction with the following report to be considered by Council at the 9 December 2014 meeting given it deals with a related topic:

GC091214R11 – (51) Review of Confidential Order for the Item: Legal Advice, GC280206F01

The Report *Occupational Health, Safety and Welfare, GC270905F01* outlined some possible Occupational Health, Safety and Welfare issues and sought Council's input on the manner in which to address the identified issues.

The original Report was considered in confidence as it disclosed individual names associated with the identified issues.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person the disclosure of which would be unreasonable – Section 90(3)(a) of the Act as well as information, that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act.

However, given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Occupational Health, Safety and Welfare, GC270905F01* and minutes demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support
Corporate Manager: Kate McKenzie, Manager Governance
Director: Kathy Jarrett
Subject: Review of Confidential Order for the Item:
Legal Advice, GC280206F01
Ref No: GC091214R11 – (51)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Legal Advice, GC280206F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Legal Advice, GC280206F01</i>' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that it deals with: a. 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 <i>Local Government Act 1999</i>). b. Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the <i>Local Government Act 1999</i>). This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality	9 Dec 14

to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.

4. This confidential order be reviewed at the December 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 28 February 2006, Council ordered that the Report and the minutes arising from the Report relating to *Legal Advice, GC280206F01* be kept confidential for a period of 12 months, to be reviewed in December 2006. This order was made on the basis that the Report contained information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (living or dead) – Section 90 (3)(a) of the Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2006. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Legal Advice, GC280206F01*' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that it deals with:
 - a) 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*).
 - b) Matters that must be considered in confidence in order to ensure that Council does not breach any law or other legal obligation or duty (Section 90(3)(g) of the *Local Government Act 1999*).

This order is to remain in force until 2 years after any persons involved in the matter leaves the employment of the City of Marion.

2. This confidential order be reviewed at the December 2014 meeting of Council.

As required by the Act, the above confidentiality order is again due for review.

ANALYSIS

Note that this report should be reviewed in conjunction with the following report to be considered by Council at the 9 December 2014 meeting given it deals with a related topic:

- GC091214R11 – (50) Review of Confidential Order for the Item: Occupational Health Safety and Welfare, GC270905F01

The Report *Legal Advice, GC280206F01* outlined some possible Occupational Health, Safety and Welfare issues and advised of a request to seek legal advice in relation to the matter.

The original Report was considered in confidence as it disclosed individual names associated with the identified issues.

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person – Section 90(3)(a) of the Act as well as information, that if released, could cause Council to breach a duty of law - Section 90(3)(g) of the Act.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(a) and (g) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Legal Advice*, GC280206F01 demonstrates openness and transparency.

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CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corproate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for Item:
Development Assessment Panel Processes, GC230908F01

Ref No: GC091214R11 - (52)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Development Assessment Panel Processes, GC230908F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Development Assessment Panel Processes, GC230908F01</i>" together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with: a. 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 <i>Local Government Act 1999</i>). 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.	10 Dec 13
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 23 September 2008, Council ordered that the Report and minutes arising from the Report *Development Assessment Panel Processes* reference number *GC230908F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2008. This order was made on the basis that the Report 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 Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2008. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Development Assessment Panel Processes, GC230908F01*” together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - a. 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*).
 - 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.
1. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Development Assessment Panel Processes, GC230908F01* is again due for review.

ANAYLSIS

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person – Section 90(3)(a) of the Act.

Given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to

order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Development Assessment Panel Processes* reference number *GC230908F01*, demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Development Assessment Panel Process, GC251108F01

Ref No: GC091214R11 - (53)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Development Assessment Panel Process, GC251108F01* in accordance with Section 91(9) of the Local Government Act 1999 (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Report, "<i>Development Assessment Panel Process, GC251108F01</i>" together with all annexure and the minutes arising from the Report be kept confidential 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 <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidentiality order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 November 2008, Council ordered that the Report *Development Assessment Panel Process, GC251108F01*, and the minutes arising from this report be kept confidential and not available for public inspection for a period of 13 months from the date of this meeting to be reviewed in December 2009. This order was made on the basis that the report contains information pertaining to the personal affairs of a person (living or dead) – Section 90 (2) and (3)(a) of the Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2008. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the Report, “*Development Assessment Panel Processes, GC251108F01*” together with all annexure and the minutes arising from the Report be kept confidential on the basis that it deals with:
 - i. 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. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Development Assessment Panel Processes, GC230908F01* is again due for review.

ANALYSIS

On review of the original Report it is noted that it continues to contain information concerning the personal affairs of any person – Section 90(3)(a) of the Act.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidentiality order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to

order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2), (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Development Assessment Panel Process, GC251108F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Renaming of Vinall Street, Section 270 Review, GC140910F01

Ref No: GC091214R11 – (54)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Renaming of Vinall Street, Section 270 Review, GC140910F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to the report, '<i>Renaming of Vinall Street, Section 270 Review, GC140910F01</i>' be kept confidential and not available for public inspection on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 October 2010, Council ordered that the appendices to the Report *Renaming of Vinall Street, Section 270 Review, GC140910F01* (the Report) be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2010. This order was made on the basis that the Report 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 Act.

The confidentiality order has been reviewed annually since 2010. The last review was at the General Council Meeting on 10 December 2013, where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to the report, '*Renaming of Vinall Street, Section 270 Review, GC140910F01*' be kept confidential and not available for public inspection on the basis that they contain information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person (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. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order is again due for review.

ANALYSIS

On review of the original Report it is noted that the appendices continue to contain information concerning the personal affairs of any person – Section 90(3)(a) of the Act.

Given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the

meeting pursuant to Section 90(2) and (3)(a) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Renaming of Vinall Street, Section 270 Review, GC140910F01* demonstrates openness and transparency.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corproate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Craven Deed, SGC161104F01

Ref No: GC091214R11 - (55)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Craven Deed, SGC161104F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Marion South Plan – Craven Deed, SGC161104F01</i>' 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: a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and b) would, on balance, be contrary to the public interest; c) would breach a duty of confidence (Section 90(3)(g) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected	9 Dec 14

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

As required by the Act, this confidentiality order has been reviewed annually since December 2004. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

- 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.

- In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the *Marion South Plan – Craven Deed SGC161104F01* is again due for review.

On review it has been found that the report continues to contain commercial information over which the City of Marion has a duty of confidence.

Report Reference: GC091214R11 – (55)

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Craven Deed SGC161104F01* demonstrates openness and transparency.

CITY OF MARION GENERAL COUNCIL MEETING 9 December 2014

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group),
SGC161104F02

Ref No: GC091214R11 - (56)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)*, SGC161104F02 in accordance with Section 91(9) of the Local Government Act 1999 (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)</i>, SGC161104F02' 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: a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and b) would, on balance, be contrary to the public interest; c) would breach a duty of confidence (Section 90(3)(g) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14

4. This confidential order be reviewed at the December 2014 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 16 November 2004, Council ordered that the Report *Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)*, SGC161104F02, together with all annexure and the relevant minutes be kept confidential for a period of 12 months, to be reviewed in December 2004. The Report outlined arrangements with and commitments by the Makris Group to enable the construction of the new connector road, and contained confidential information of a commercial nature.

As required by the Act, this confidentiality order has been reviewed annually since December 2004. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group), SGC161104F02' 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:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) would, on balance, be contrary to the public interest;
 - (c) would breach a duty of confidence (Section 90(3)(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. This confidential order be reviewed at the December 2014 meeting of Council

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the *Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)*, SGC161104F02 is again due for review.

ANALYSIS

On review the Deed entered into with the Makris Group remains current, the information discussed in the Report is still 'commercial in nature' over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Etiria No 25 Pty Ltd Deed (Makris Group)*, SGC161104F02 demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Craven & Etiria Deeds, GC260405F01

Ref No: GC091214R11 - (57)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Craven & Etiria Deeds, GC260405F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (2)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Marion South Plan – Craven & Etiria Deeds, GC260405F01*' 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 commercial information of a confidential nature the disclosure of which:
 - a) could reasonably be expected to prejudice the commercial position of the Craven and Makris Groups which supplied the information, or to confer a commercial advantage on a third party (Section 90(3)(d) of the *Local Government Act 1999*); and
 - b) would, on balance, be contrary to the public interest;
 - c) would breach a duty of confidence to the Craven and Makris Groups (Section 90(3)(g) of the *Local Government Act 1999*).

9 Dec 14

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 requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.

Mar 15

3.	Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4.	This confidential order be reviewed at the December 2014 meeting of Council	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 16 November 2004, Council ordered that the Report *Marion South Plan – Craven & Etiria Deeds, GC260405F01* together with all annexure and the relevant minutes be kept confidential for a period of 12 months, to be reviewed in December 2005. The Report outlined arrangements with and commitments by the Craven and Makris Groups to enable the construction of the new connector road, and contained confidential information of a commercial nature – Sections 90(3)(d) and (g) of the Act.

As required by the Act, this confidentiality order has been reviewed annually since December 2005. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, 'Marion South Plan – Craven & Etiria Deeds, GC260405F01' 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 commercial information of a confidential nature the disclosure of which:
 - (a) could reasonably be expected to prejudice the commercial position of the Craven and Makris Groups which supplied the information, or to confer a commercial advantage on a third party (Section 90(3)(d) of the *Local Government Act 1999*); and
 - (b) would, on balance, be contrary to the public interest;
 - (c) would breach a duty of confidence to the Craven and Makris Groups (Section 90(3)(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. This confidential order be reviewed at the December 2014 meeting of Council

ANALYSIS

On review the information discussed in the Report remains 'commercial in nature' over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidentiality order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of the *Local Government Act 1999* given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Craven & Etiria Deeds, GC260405F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Craven Deed, GC191206F01

Ref No: GC091214R11 - (58)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Craven Deed, GC191206F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '<i>Marion South Plan – Craven Deed, GC191206F01</i>' 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: a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and b) would, on balance, be contrary to the public interest; c) would breach a duty of confidence (Section 90(3)(g) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14

4. This confidential order be reviewed at the December 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 19 December 2006, Council ordered that the Report *Marion South Plan – Craven Deed GC191206F01*, together with all annexure and the relevant minutes be kept confidential for a period of 12 months, to be reviewed in December 2007. The Report outlined arrangements with and commitments by Craven to enable the construction of the new connector road, and contained confidential information of a commercial nature.

As required by the Act, this confidentiality order has been reviewed annually since December 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion South Plan – Craven Deed, GC191206F01' 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:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) would, on balance, be contrary to the public interest;
 - (c) would breach a duty of confidence (Section 90(3)(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. This confidential order be reviewed at the December 2014 meeting of Council.

ANAYLSIS

On review the information discussed in the Report is still 'commercial in nature' over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Craven Deed GC191206F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Etrira Deed, GC130307F01

Ref No: GC091214R11 - (59)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Etrira Deed, GC130307F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Marion South Plan – Etrira Deed, GC130307F01*' 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:
 - a) 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 (Section 90(3)(d) of the *Local Government Act 1999*); and
 - b) would, on balance, be contrary to the public interest;
 - c) would breach a duty of confidence (Section 90(3)(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. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.
3. Council delegates the power to revoke this order of confidentiality

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9 Dec 14

to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.

4. This confidential order be reviewed at the December 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 19 December, Council ordered that the Report *Marion South Plan – Etrira Deed GC130307F01*, together with all annexure and the relevant minutes be kept confidential for a period of 9 months, to be reviewed in December 2007. The Report outlined arrangements with and commitments by Etrira to enable the construction of the new connector road, and contained confidential information of a commercial nature.

As required by the Act, this confidentiality order has been reviewed annually since December 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Marion South Plan – Etrira Deed, GC130307F01*' 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:
 - (a) *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 (Section 90(3)(d) of the Local Government Act 1999); and*
 - (b) would, on balance, be contrary to the public interest;
 - (c) would breach a duty of confidence (Section 90(3)(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. This confidential order be reviewed at the December 2014 meeting of Council

ANALYSIS

The information discussed in the Report is still 'commercial in nature' over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Etrira Deed GC130307F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Marion South Plan – Tender for Construction, GC250907F01

Ref No: GC091214R11 - (60)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Marion South Plan – Tender for Construction, GC250907F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the report, '<i>Marion South Plan – Tender for Construction, GC250907F01</i>' 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: a) 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 (Section 90(3)(d) of the <i>Local Government Act 1999</i>); and b) would, on balance, be contrary to the public interest; c) would breach a duty of confidence (Section 90(3)(g) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14

4. This confidential order be reviewed at the December 2015 meeting of Council

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 25 August Council ordered that the Report *Marion South Plan – Tender for Construction GC250907F01*, together with all annexure and the relevant minutes be kept confidential, to be reviewed in December 2007. The Report contains confidential information of a commercial nature.

As required by the Act, this confidentiality order has been reviewed annually since December 2007. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '*Marion South Plan – Tender for Construction, GC250907F01*' 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:
 - (a) *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 (Section 90(3)(d) of the Local Government Act 1999); and*
 - (b) would, on balance, be contrary to the public interest;
 - (c) would breach a duty of confidence (Section 90(3)(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. This confidential order be reviewed at the December 2014 meeting of Council.

In accordance with the Act, the above confidentiality order is now due for review.

ANAYLSIS

On review it has been found that the report continues to contain commercial information over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Marion South Plan – Tender for Construction GC250907F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

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

Ref No: GC091214R11 - (61)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

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:

9 Dec 14

- (a) 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 (Section 90(3)(d) of the *Local Government Act 1999*); and
- (b) would, on balance, be contrary to the public interest;
- (c) would breach a duty of confidence (Section 90(3)(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. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.

Mar 15

3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 30 June 2008, Council ordered that the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*, together with all annexure and the relevant minutes be kept confidential until 1 December 2008, after which time the order was to be reviewed

As required by the Act, this confidentiality order has been reviewed annually since December 2008. The last review was at the 25 March 2014 General Council meeting where it was resolved that the:

- 1.** Confidentiality order pertaining to the Report "*Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*" together with the minutes arising from the report be revoked.
- 2.** Confidentiality order pertaining to Appendix 1 to the Report "*Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01*" be retained on the basis that the report contains information the disclosure of which would breach a duty of confidence (Section 90(3)(g) of the *Local Government Act 1999*).
- 3.** Council authorises the CEO to release Appendix 1 based on the outcome of discussions with third parties.

In accordance with Section 91(9) of the Act and Council's Management of Confidential Items Framework, the confidentiality order relating to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* is again due for review.

ANAYLSIS

On review it has been found that the appendix continues to contain commercial information over which the City of Marion has a duty of confidence.

However given the time now lapsed, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) and (g) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Appendix 1 to the Report *Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Internal Audit Service Provision AC030706F01

Ref No: GC091214R11 – (62)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Internal Audit Service Provision, AC030706F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, '<i>Internal Audit Service Provision, AC030706F01</i>' together with the minutes arising from the report be kept confidential on the basis that the matter relates to commercial information of a confidential nature (Section 90(3)(d) of the <i>Local Government Act 1999</i>). 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 3 July 2006, Council ordered that the report "*Internal Audit Service Provision AC030706F01* (the Report), together with the minutes arising from the Report and any other information distributed at the meeting relating to the Report be kept confidential and not available for public inspection for a period of 12 months to be reviewed at the last Audit Committee meeting for 2006. This order was made on the basis that the Report detailed information that may prejudice the commercial position of the Council in the tendering process for Internal Audit Services.

As required by the Act, this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that the report, '*Internal Audit Service Provision, AC030706F01*' together with the minutes arising from the report 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Internal Audit Service Provision, AC030706F01* is now due for review.

ANAYLSIS

On review of the original Report, it has been noted that the commercial information remains relevant to the content of the Report.

Given the time now lapsed, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Retaining the confidentiality of the Report *Internal Audit Service Provision AC030706F01* is necessary to ensure that Council does not disclose information that may prejudice Council's commercial position.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Representation Review – Appointment of External Consultant,
GC240209F01

Ref No: GC091214R11 - (63)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *Representation Review – Appointment of External Consultant, GC240209F01* in accordance with Section 91(9) of the Local Government Act 1999 (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that the Appendix to the Report, "<i>Representation Review – Appointment of External Consultant, GC240209F01</i>" be kept confidential on the basis that the Appendix contains information the disclosure of which: (a) 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 (Section 90(3)(b) of the <i>Local Government Act 1999</i>); and (b) would, on balance, be contrary to the public interest; (c) would involve the unreasonable disclosure of information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) of the <i>Local Government Act 1999</i>).	9 Dec 14

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 requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and	Mar 15

consultation.

3.	Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4.	This confidential order be reviewed at the December 2014 meeting of Council.	Mar 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 24 February 2009, Council ordered that the Appendix to the Report *Representation Review – Appointment of External Consultant, GC240209F01* be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2009.

As required by the Act and Council's 'Management of Confidential Items Framework', this confidentiality order has been reviewed annually since December 2009. The last review was at the 10 December 2013 General Council meeting where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the Report, "*Representation Review – Appointment of External Consultant, GC240209F01*" be kept confidential on the basis that the Appendix contains information the disclosure of which:
 - (a) 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 (Section 90(3)(b) of the Local Government Act 1999); and
 - (b) would, on balance, be contrary to the public interest;
 - (c) would involve the unreasonable disclosure of information concerning tenders for the supply of goods, the provision of services or the carrying out of works (Section 90(3)(k) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Representation Review – Appointment of External Consultant, GC240209F01* is now due for review.

ANALYSIS

On review the report contains commercial information regarding a proposed tenderer for the provision of external audit services.

Given the representation review is complete, it is recommended that Council pursue release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidentiality order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (3)(k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Representation Review – Appointment of External Consultant, GC240209F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Representation Review – Appointment of Authorised
Person, GC091012F01

Report Reference: GC091214R11 – (64)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Representation Review – Appointment of Authorised Person, GC091012F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the <i>Local Government Act 1999</i> the Council orders that Appendices 2 and 3 of the Report <i>Representation Review – Appointment of Authorised Person, GC091012F01</i> having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis the information relates to information the disclosure of which would: a. 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 b. 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidentiality order will be reviewed at the General Council meeting in December 2015.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 9 October 2012 Council ordered that Appendices 2 and 3 to the *Representation Review – Appointment of Authorised Person*, GC091012F01 be kept confidential and not available for a period of 12 months from the date of this meeting to be reviewed in December 2012. This order was made on the basis that the information in the report relates to 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. Section 90(2) and (3)(b) of the Act.

As required by the Act and Council's 'Management of Confidential Items Framework', this confidentiality order was reviewed at the 10 December 2013 General Council meeting where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendices 2 and 3 of the Report Representation Review – Appointment of Authorised Person, GC091012F01 having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the basis the information relates to information the disclosure of which would:*
 - a. *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*
 - b. *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 2014.*

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

On review the report contains commercial information regarding a proposed tenderer for the provision of external audit services.

Given the representation review is complete, it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Appendices to the Report *Representation Review – Appointment of Authorised Person, GC091012F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
City Services Redevelopment – Section 48 Prudential Report,
AC190511R6.1

Ref No: GC091214R11 - (65)

REPORT OBJECTIVE:

To review the confidential item relating to the Report *City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1* in accordance with Section 91(9) of the Local Government Act 1999 (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report "<i>City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1</i>" together with the minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(b) of the Local Government Act 1999); and (b) 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality	9 Dec 14

to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.

- 4. This confidential order be reviewed at the December 2015 meeting of Council.**

Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 19 May 2011, the Audit Committee ordered that the to the Report *City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1* and the minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2011.

As required by the Act, the above confidentiality order was reviewed at the General Council Meeting on 10 December 2013 where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report "*City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1*" together with the minutes arising from the report be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(b) of the Local Government Act 1999); and
 - (b) 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 2014 meeting of Council.

In accordance with the Act and the above resolutions, the confidentiality order relating to the Report *City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1* is now due for review.

ANAYLSIS

On review the report contains information relating to the City Services Redevelopment - Section 48 Prudential Report that is of a commercial nature.

It is recommended however that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *City Services Redevelopment - Section 48 Prudential Report, AC190511R6.1* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
City Services Redevelopment – Cost Estimate,
GC110912F01

Report Reference: GC091214R11 – (66)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *City Services Redevelopment – Cost Estimate, GC110912F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report <i>City Services Redevelopment – Cost Estimate, GC110912F01</i> and the minutes arising from this report having been considered in confidence under Section 90(2) and 90(3)(b) of the Act be kept confidential and not available for public inspection on the basis the information relates to information the disclosure of which would: a. 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 b. 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.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidentiality order will be reviewed at the General Council meeting in December 2015.	Dec 15

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 September 2012 Council ordered that the report *City Services Redevelopment – Cost Estimate, GC110912F01* and minutes be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting to be reviewed in December 2014. This order was made on the basis that the information relates to 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 – Section 90(2) and (3)(b) of the Act.

On 10 December 2013 Council reviewed the confidentiality order and resolved:

1. That in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report *City Services Redevelopment – Cost Estimate, GC110912F01* and the minutes arising from this report having been considered in confidence under Section 90(2) and 90(3)(b) of the Act be kept confidential and not available for public inspection on the basis the information relates to 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.

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 2014.

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

On review the report contains commercial information regarding a proposed project including cost estimates. Given the stage the project is now at it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present)

from the meeting pursuant to Section 90(2) and (3)(b) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *City Services Redevelopment – Cost Estimate, GC110912F01* demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidentiality Order:
City Services Redevelopment – Update GC290113 F01

Report Reference: GC091214R11 – (67)

REPORT OBJECTIVES / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter of *City Services Redevelopment – Update GC290113 F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to the report '*City Services Redevelopment – Update*' having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to financial and scope options as part of the tender process to manage the project, and the disclosure of the information would:

9 Dec 14

(a) 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

(b) 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.

Mar 15

2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.

9 Dec 14

3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.

Dec 15

4. This confidentiality order will be reviewed at the General Council meeting in December 2015.

BACKGROUND

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 29 January 2013 Council ordered that:

In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the report (exclusive of the appendices) be released. This confidentiality order will be reviewed at the General Council Meeting in December 2013.

On 10 December 2013 Council reviewed the confidentiality order and resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices to this report having been considered in confidence under Section 90(2) and (3)(b) and (3)(k) of the Act be kept confidential and not available for public inspection on the basis that the information relates to financial and scope options as part of the tender process to manage the project, and the disclosure of the information would:*
 - (a) *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*
 - (b) *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 2014.*

In accordance with the Act, the above confidentiality order is due for review.

ANAYLSIS

On review the report appendices contain commercial information regarding a proposed project including financial and scope options as part of the tender process to manage the project.

Given the stage the project is now at it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(b) and (k) of the Act given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the appendices to the Report "*City Services Redevelopment – Update GC290113 F01*" demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC230811F02

Ref No: GC091214R11 - (68)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the Report *Commercial Arrangements, GC230811F02* in accordance with Section 91(9) of the Local Government Act 1999 (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, Appendix and minutes relating to the report "<i>Commercial Arrangements, GC230811F02</i>" be kept confidential on the basis that they contain information the disclosure of which: (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and (b) 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.	10 Dec 13
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14
4. This confidential order be reviewed at the December 2015 meeting of Council.	Dec 15

BACKGROUND:

Section 91(9) of the Local Government Act 1999 (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 23 August 2011, Council ordered that the Report *Commercial Arrangements, GC230811F02* and minutes arising from the report be kept confidential for a period of 12 months, to be reviewed at the General Council meeting in December 2012.

In accordance with the Act, the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. Pursuant to Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Report, Appendix and minutes relating to the report "*Commercial Arrangements, GC230811F02*" be kept confidential on the basis that they contain information the disclosure of which:
 - (a) 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 (Section 90(3)(d) of the Local Government Act 1999); and
 - (b) 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 2014 meeting of Council.

In accordance with Section 91(9) of the Act and the above resolutions, the confidentiality order relating to the Report *Commercial Arrangements, GC230811F02* is now due for review.

ANAYLSIS

On review the report contains commercial information regarding a tender process. Given the stage the tender process is now at it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report *Commercial Arrangements*, GC230811F02 demonstrates openness and transparency.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC111212F01

Ref No: GC091214R11 - (69)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC111212F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed commercial arrangements 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.	10 Dec 13
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	Dec 14 Dec 15

4. This confidential order be reviewed at the December 2015 meeting of Council.

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 11 December 2012 Council ordered that the Report *Commercial Arrangements, GC111212F01*, minutes and any other information distributed at the meeting be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the order be reviewed at the December 2013 meeting.

In accordance with the Act, the above confidentiality was last reviewed in December 2013 where it was resolved that:

1. *In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed commercial arrangements 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. *This confidential order be reviewed at the December 2015 meeting of Council.*

This order was made on the on the grounds that the report contains information in relation to proposed ccommercial arrangements 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.

In accordance with the Act, and the above resolution, the order is due for review.

ANAYLSIS

On review the report contains commercial information. Given the stage the commercial arrangements are at it is now at it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report, *Commercial Arrangements*, GC111212F01 demonstrates openness and transparency however this should be balanced with Council's obligation not to prejudice the commercial or confidential position of the person who supplied the information, or to confer a commercial advantage to a third party proposed development.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Originating Officer: Jaimie Thwaites, Unit Manager Council Support

Corporate Manager: Kate McKenzie, Manager Governance

Director: Kathy Jarrett

Subject: Review of Confidential Order for the Item:
Commercial Arrangements, GC260313F02

Ref No: GC091214R11 - (70)

REPORT OBJECTIVE / EXECUTIVE SUMMARY:

To review the confidential item relating to the matter *Commercial Arrangements, GC111212F01* in accordance with Section 91(9) of the *Local Government Act 1999* (the Act).

RECOMMENDATIONS (4)

DUE DATES

That:

1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) and (k) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates proposed tender and commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.	9 Dec 14
2. Council requests the Chief Executive Officer to undertake further investigation and consultation with the view to releasing this matter based on the outcomes of such investigation and consultation.	Mar 15
3. Council delegates the power to revoke this order of confidentiality to the Chief Executive Officer, subject to no reasonable objections from relevant third parties or Elected Members.	9 Dec 14

4. This confidential order be reviewed at the December 2015 meeting of Council.

Dec 15

BACKGROUND:

Section 91(9) of the *Local Government Act 1999* (the Act) requires that any confidential order made by Council under Section 91(7) and (9) of the Act must be reviewed at least once in every year.

On 26 March 2013 Council ordered that the Report *Commercial Arrangements, GC260313F02*, minutes and any other information distributed at the meeting be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting and that the order be reviewed at the December 2013 meeting.

In accordance with the Act, the above confidentiality was last reviewed in December 2013 where it was resolved that:

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

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

2. *This confidential order be reviewed at the December 2014 meeting of Council.*

This order was made on the on the grounds that the report contains information in relation to and proposed tender and ccommercial arrangements, 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.

ANAYLSIS

On review the report contains commercial information. Given the stage the commercial arrangements are at it is now at it is recommended that Council pursuit release taking into consideration the views of parties involved, as well as other matters such as industry practice, Ombudsman's advice and approaches taken with the Freedom of Information legislation.

The Chief Executive Officer can undertake relevant consultation and investigation, and if no relevant objections or material is realised then the Chief Executive Officer could revoke the confidential order under delegated authority.

Prior to any revocation the Chief Executive Officer is to also seek the views of the Elected Members.

Legal / Legislative and Risk Management:

Note that if Council wishes to discuss the details of the Report during the meeting prior to resolving the release or otherwise of the Report and associated minutes, Council will need to order that the public be excluded (with the exception of Council officers present) from the meeting pursuant to Sections 90(2) and (3)(d) and (k) of the Local Government Act 1999 given the current confidentiality order is still in force.

CONCLUSION

Excellence in Governance occurs when Council's operations are underpinned by accountability, integrity, openness and transparency. Releasing the Report, *Commercial Arrangements*, GC260313F02 demonstrates openness and transparency however this should be balanced with Council's obligation not to prejudice the commercial or confidential position of the person who supplied the information, or to confer a commercial advantage to a third party proposed development.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 DECEMBER 2014**

Question Received from: Councillor Hutchinson

Subject: Rates for Work conducted on Weekends

Ref No: GC091214Q01

File No:

QUESTION:

When council employs contractors, such as concreters and road re-seal teams, does council pay a premium for work conducted on weekends (such as a penalty rate, whether explicit or otherwise)?

COMMENTS:

Colin Heath, Manager Contracts

When engaging contractors, Council's standard position is to request fixed pricing to undertake relevant work during normal week day hours.

For such engagements, where a Contractor requests to undertake work outside of the normal week day hours, this does not result in additional cost to Council.

Where Council directs the Contractor to undertake work outside of normal week day hours (eg emergency works, to address access issues, to minimise disruption to residents etc), Council may accordingly incur additional costs.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Question Received from: Councillor Luke Hutchinson

Subject: Street Trees

Reference Number: GC091214Q02

QUESTION:

Does council track the number of street trees that die following planting in their first year?
What is the City of Marion's success rate of tree plantings over the past 12 months?

COMMENTS:

Anthony Harris, Acting Unit Manager Open Space Operations

Council does not collect specific data regarding the number of Street Trees that die within the first year. Observations from the City of Marion Street Tree team in conjunction with Customer Service Requests received, are used to identify when and where any Street Tree may need attention or replacement.

Street planting for this year ceased at the end of September 2014. Observations from the City of Marion Street Tree team in conjunction with Customer Service Requests indicate that the average success rates are between 85 and 90 per cent from the planting season this year. This success rate fluctuates year to year due to climatic variations, timing of plantings, size and species of plantings and levels of vandalism.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Question Received from: Councillor Hutchinson

Subject: Organisational Development

Ref No: GC091214Q03

QUESTIONS:

1. What has the City of Marion spent on the recruitment of staff over the past 4 years? (including recruitment agents, advertisements etc).
2. Excluding annual and sick leave entitlements, what has been the City of Marion's financial liability of staff over the past 4 years to date, who are, or have not been contributing to the organisation's output / not at work?
Such as those being paid by the City of Marion whilst serving a suspension, paid time off due to injury - excluding sick leave, paid whilst an investigation has been undertaken and the like.
3. What has the City of Marion spent on ex-gratia payments made to staff/former staff over the past 4 years?

COMMENTS:

Andrew Lindsay, Manager Organisational Development

1. **What has the City of Marion spent on the recruitment of staff over the past 4 years? (including recruitment agents, advertisements etc).**

2011	\$326,903
2012	\$248,304
2013	\$194,868
2014	\$135,014

Includes recruitment with external agencies, medicals, advertising, psychometric testing and internal recruitment.

2. **Excluding annual and sick leave entitlements, what has been the City of Marion's financial liability of staff over the past 4 years to date, who are, or have not been contributing to the organisation's output / not at work?
Such as those being paid by the City of Marion whilst serving a suspension, paid time off due to injury - excluding sick leave, paid whilst an investigation has been undertaken and the like.**

2011	\$15,701
2012	\$12,073
2013	\$36,655
2014	\$46,851

3. **What has the City of Marion spent on ex-gratia payments made to staff/former staff over the past 4 years?**

2011	\$13, 213
2012	-
2013	\$33,456
2014	\$43,348

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Question Received from: Councillor Prior

Subject: Legal Fees

Ref No: GC091214Q04

QUESTION:

What has council expensed on legal fees in the previous 2 financial years? What is the current budget for legal expenses?

COMMENTS:

John Stewart, Financial Coordinator

Legal Fee Expenditure:-

<i>2012/13 (Actual)</i>	<i>\$312,426</i>
<i>2013/14 (Actual)</i>	<i>\$440,155</i>
<i>2014/15 (Budget)</i>	<i>\$302,227</i>

**CITY OF MARION
GENERAL COUNCIL MEETING
9 DECEMBER 2014**

Notice Received from: Councillor Hutchinson

Subject: Play Equipment Audit

Ref No: GC091214M01

MOTION:

- 1. That the City of Marion undertake an audit of playground equipment to identify the risks associated with super heating of surfaces, in particular those that may come into contact with skin; and**
- 2. Appropriate risk mitigation strategies are developed and implemented within 4 weeks.**

COMMENTS: Councillor Hutchinson

In light of the recent and tragic incident of a young child receiving extensive burns on play equipment with the City of Port Adelaide Enfield, I believe we must undertake an audit of our play equipment to ensure materials that could reach excessive temperatures are identified and that the risk posed to our children is managed appropriately.

COMMENTS:

Peter Paterson, Manager Open Space, Kate McKenzie, Manager Governance

The City of Marion procurement processes require that playground equipment is purchased and installed in accordance with the Australian Standards set for playgrounds.

The City of Marion's 105 Playgrounds are monitored and maintained via a programme of inspection. Each playground is inspected weekly to identify hazards from vandalism, use or weather conditions. Each playground is also inspected quarterly for operational checks to ensure equipment is in good working order.

Comprehensive inspections are undertaken as part of our newly installed playgrounds to ensure independent certification against current Australian Standards. These inspections assess the long term levels of safety, standard compliance, quality control, etc.

It is acknowledged that all surfaces, including ground and soft-fall, will heat up if exposed directly to the sun. This is not uncommon due to the Australian climatic conditions. Council has sought advice from a peak body for playground equipment and the advice provided acknowledges whilst young children may not be old enough to determine the risk of heat, they should be appropriately supervised in all public open spaces.

The City of Marion has received limited incident reports associated with playgrounds in the past three years, none of which relate to burns.

Due to resources and expertise required, an audit to assess risks associated with super heating surfaces would need to be outsourced and is estimated to costs \$6,500 plus GST. This cost currently is not included within Councils budget.

As this is a sector wide issue and based on Councils current inspection program and risk assessment, it is recommended that further information be sought from the Local Government Association Mutual Liability Scheme regarding appropriate response to this issue. Council may like to consider an alternative motion as follows:

“that advice is sought from the Local Government Mutual Liability Scheme regarding appropriate actions for Council to be undertaking based on the risks associated with super heating of surfaces, in particular those that may come into contact with skin”

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Notice Received from: Councillor Veliskou
Subject: Ideas for Planning Reform
Ref No: GC091214M02

MOTION:

That Council make a further submission regarding “South Australia’s Expert panel “Ideas for Planning Reform” which indicates that decisions made by any planning group, in place of Local Council development assessment panels, includes measures that ensure transparency for the public interest (including their deliberations).

Further that Council write to the relevant minister and shadow minister advising of this position.

COMMENTS: Councillor Veliskou

Nil

COMMENTS:

Submissions on the “Our Ideas for Reform Paper” closed on 26 September 2014 and the Expert Panel has announced that it will deliver its final recommendations this month.

It is therefore likely that the Panel has concluded its deliberations and considered all submissions received during the consultation period.

An alternative approach that Council may consider is to write to the Planning Minister and Shadow Planning Minister requesting that any legislative reform to planning legislation have regard to the above-mentioned position.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Notice Received from: Councillor Veliskou
Subject: Streetscape Working Party
Ref No: GC091214M03

MOTION:

That council establish a streetscape working party for the incoming council to provide input in the development of the Council's streetscape policy draft before it goes to consultation.

That council aims to establish and convene the streetscape working party early in 2015 and that their input be incorporated into the draft policy being worked on.

That council build on the work done by council staff on this to date.

COMMENTS: Councillor Veliskou

This process will give the new council the opportunity to shape the draft streetscape policy which will be presented to the community.

It is quite evident from the induction session that the new council is very committed to having the right guidelines in place for our footpaths, roads and verges.

The working party would provide the opportunity for discussing different aspects of streetscape and how they interact.

It could provide input into policy through a bottom up approach where issues in detail shape strategy as well as through direct strategic statements.

Once in place and running the working party may wish to run one or a few open workshops to invite the community to participate as part of the consultation process.

The main assets of council are not the exciting sports hubs or new community facilities, they are the roads and walkways that connect us across the 56sq KM of the council area.

This policy affects our residents the minute they leave their premises and in some cases the policy can impact on whether they can or choose to leave their premises.

For more frail residents the impact of poorly placed or maintained footpaths have significantly negative life changing effects.

COMMENTS: Heather Montgomerie, Director

A report was presented to Council on 12 August 2014 (GC120814R02) proposing principles for a streetscape policy, and seeking Council's feedback on the nature and content of such a policy. A draft policy has been substantially prepared on the basis of the principles that were presented at that time.

A working party may assist in providing feedback to staff to further inform the policy, and to clarify what matters should be addressed in policy, and what is better suited to implementation guidelines or operational procedures.

A working party could be supported by existing personnel in the Infrastructure, Assets, Strategy and Communications Departments, as required.

The due date for the resolution to bring back a draft policy to Council will need to be adjusted to accommodate the timeframes of a working party.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

Notice Received from: Councillor Kerry

Subject: Consideration of Opportunities for a Low Rating Strategy

Ref No: GC091214M04

MOTION:

"That:

1. Council declare its commitment to a low rating strategy for the next 4 years, whilst ensuring long term financial sustainability.
2. A report be prepared for the March 2015 General Council Meeting outlining opportunities for a low rating strategy including consideration of a rate rise no greater than the Adelaide CPI for the 2015/16 financial year, whilst also ensuring long term financial sustainability."

COMMENTS: Councillor Kerry

Nil.

COMMENTS: Vincent Mifsud, Director

A series of Forums are planned for Elected Members in early 2015 with the purpose of providing financial data, information and modelling that will inform members of the outcomes and consequences of potential rating options. This will support members in making sound and well informed prudential decisions in the development of the 2015/16 Annual Business Plan & Budget (ABP&B), whilst ensuring a focus on maintaining Councils long term financial sustainability.

This will underpin the provision of a report to Council in March 2015, outlining opportunities for a low rating strategy, including consideration of a rate rise no greater than the Adelaide CPI for the 2015/16 ABP&B, whilst also ensuring Council's long term financial sustainability and responsible use of community funds. In turn this will facilitate and inform the public consultation process that is legislatively required to be conducted, before Council can formally adopt the ABP&B.

CONFIDENTIAL REPORT

REPORT RELATING TO: A leader in the delivery of the Community Vision

Originating Officer: Heather Michell, Land Asset Officer
Corporate Manager: Peter Patterson
Director: Heather Montgomerie
Subject: Marion Leisure and Fitness Centre
Lease to CASA Leisure Pty Ltd
Reference No: GC091214F01
File No: 16.51.1.36

If the Council so determines, this matter may be considered in confidence under Section 90(3)(d) of the *Local Government Act 1999* on the grounds that the report contains information relating 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.



Mark Searle
Chief Executive Officer

RECOMMENDATION:

1. That pursuant to Section 90 (2) and (3)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Mark Searle, Kathy Jarrett, Vincent Mifsud, Heather Montgomerie, Kate McKenzie, Peter Patterson, Mark Gibson and Heather Michell be excluded from the meeting as the Council receives and considers information relating to the Marion Leisure Fitness Centre Lease to CASA Leisure Pty Ltd, 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 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.

**CITY OF MARION
GENERAL COUNCIL MEETING
9 December 2014**

CONFIDENTIAL

Originating Officer: Kathy Jarrett, Director

Subject: Recommendations of the 5 December 2014 CEO Review
Committee Meeting Minutes

Reference No: GC091214F02

RECOMMENDATION

If the Council so determines, this matter may be considered in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999 on the grounds that it relates to the personal affairs of a person (living or dead).



Mark Searle
Chief Executive Officer

RECOMMENDATION:

1. That Pursuant to Section 90(2) and (3)(a) of the Local Government Act, 1999 the Council orders that all persons present, with the exception of Kathy Jarrett, Director be excluded from the meeting as the Committee considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Council will receive and consider a report dealing with a review of the Chief Executive Officer's Employment Agreement and performance and remuneration review processes.