His Worship the Mayor
Councillors
City of Marion

Notice of General Council Meeting

Council Chamber, Council Administration Centre
245 Sturt Road, Sturt
Public Access - Virtual Meeting Room only (Zoom)

Tuesday, 14 December 2021 at 6.30 pm

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the *Local Government Act 1999* that a General Council Meeting will be held.

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. Due to COVID-19, interested members of the community are welcome to attend by electronic means. Access to the meeting is via the link published on the City of Marion website (https://www.marion.sa.gov.au/about-council/council-meetings/council-meeting-livestream) on the day of the meeting.



Tony Harrison

Chief Executive Officer

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1 Open Meeting

2 Kaurna Acknowledgement

We acknowledge the Kaurna 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 Declaration of Interest (if any)

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 23 November 2021	
Report Reference	GC211214R5.1
Originating Officer	Governance Officer – Angela Porter
Corporate Manager	Manager Office of the CEO – Kate McKenzie
General Manager	Chief Executive Officer – Tony Harrison

RECOMMENDATION

That the minutes of the General Council Meeting held on 23 November 2021 be taken as read and confirmed.

ATTACHMENTS

1. GC211123 - Final Minutes [**5.1.1** - 20 pages]

Minutes of the General Council Meeting held on Tuesday, 23 November 2021 at 6.30 pm Council Chamber, Council Administration Centre 245 Sturt Road, Sturt

PRESENT

His Worship the Mayor Kris Hanna
Councillor Ian Crossland
Councillor Maggie Duncan
Councillor Raelene Telfer
Councillor Bruce Hull
Councillor Kendra Clancy
Councillor Sasha Mason
Councillor Matthew Shilling
Councillor Luke Hutchinson
Councillor Nathan Prior
Councillor Jason Veliskou
Councillor Joseph Masika

In Attendance

Chief Executive Officer - Tony Harrison
General Manager City Services - Tony Lines
General Manager Corporate Services - Sorana Dinmore
Manager Office of the CEO - Kate McKenzie
Unit Manager Governance and Council Support - Victoria Moritz

1 Open Meeting

The Mayor opened the meeting at 6.30pm.

2 Kaurna Acknowledgement

We acknowledge the Kaurna 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 Declaration of Interest (if any)

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

The following interests were disclosed:

- Councillor Shilling declared a material of interest in the item *Rescission Motion – LED Street Lighting (GC211123R11.3)*
- Councillor Veliskou declared an actual conflict of interest in the item *Artificial Turn on Council Verges (GC211112R11.11)*

5 Confirmation of Minutes

5.1 Confirmation of Minutes of the General Council Meeting held on 26 October 2021
Report Reference GC211123R5.1

Moved Councillor Telfer **Seconded Councillor Hutchinson**

That the minutes of the General Council Meeting held on 26 October 2021 be taken as read and confirmed.

Carried Unanimously

Procedural Motion

Moved Councillor Shilling **Seconded Councillor Mason**

That the following Communication Items be moved en bloc:

- Mayoral Communication Report
- Deputy Mayor Communication Report
- Elected Member Communication Report
- CEO and Executive Communication Report

Carried Unanimously

6 Communications

6.1 Mayoral Communication Report
Report Reference GC211123R6.1
Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
24 October 2021	South Adelaide Basketball Club NBL Team Presentations	
25 October 2021	Oaklands Estate Residents' Association AGM	Gave speech
5 November 2021	Lord Mayor's Civic Ceremony to celebrate the lifetime achievements of Uncle Lewis Yerloburka O'Brien AO	
6 November 2021	Hindu Society Deepavali celebrations	Gave speech
8 November 2021	Southern Materials Recycling Facility launch event	Gave speech
10 November 2021	Sunrise School tour of Council Chambers	Hosted tour
11 November 2021	Marion RSL Remembrance Day Service	Laid wreath
15 November 2021	Seaview High Year 12 Graduation Evening	Presented Mayor's award
16 November 2021	Future Energy Summit at Tonsley	Welcomed conference attendees

16 November 2021	Meeting with Warradale Park Tennis Club	
17 November 2021	Future Energy Summit at Tosnley-Resilient South Breakfast Event	Welcomed conference attendees
17 November 2021	Council Assessment Panel meeting regarding X Convenience service station on Diagonal Road	
The Mayor also met with other Mayors and MPs. The Mayor functioned at limited capacity during this period due to a cycling accident.		

Moved Councillor Shilling **Seconded Councillor Mason**

That the Mayoral Communication report be received and noted.

Carried Unanimously

6.2 Deputy Mayor Communication Report
Report Reference GC211123R6.2
Name of Council Member Deputy Mayor – Nathan Prior

Date	Event	Comments
23 October 2021	Football Star Academy Launch at Warradale Primary School	
29 October 2021	Threatened fish recovery project event at Oaklands Wetlands	
8 November 2021	Southern Materials Recycling Facility (SMRF) launch event	
14 November 2021	Repatriation General Hospital guided tour with Stephen Patterson MP	

Moved Councillor Shilling **Seconded Councillor Mason**

That the Deputy Mayor Communication report be received and noted.

Carried Unanimously

6.4 Elected Member Communication Report
Report Reference GC211123R6.4
Name of Council Member Councillor Raelene Telfer

Date	Event	Comments
3 November 2021	Council Assessment Panel	Member
9 November 2021	Warriparinga Ward	Briefing by staff
17 November 2021	CAP application Andrash Fuel outlet at Sturt	Viewed by webinar
19 November 2021	Mitchell Park Sports & Community Club	Chaired Election
22 November 2021	Mitchell Park S&C Centre	Advisory Committee attendance

6.3 CEO and Executive Communication Report
Report Reference GC211123R6.3

Date	Activity	Attended By
27 October 2021	LGA CEO Forum	Tony Harrison
27 October 2021	Meeting | Donny Walford (Behind Closed Doors)	Sorana Dinmore
27 October 2021	Meeting | Todd Elliott (Satalyst) and Sorana Dinmore	Sorana Dinmore
27 October 2021	Oaklands Green Monthly PCG meeting	Tony Lines
29 October 2021	Meeting | SWBMX Key Stakeholders Working Group with CoM, ORSR, SATC & DEW	Ilia Houridis
29 October 2021	LGA CEO AGM event	Tony Harrison
29 October 2021	LGA AGM event	Tony Harrison
29 October 2021	Event | Fish Release at Oaklands Wetland with Minister Speirs MP	Tony Lines
29 October 2021	Meeting | PEET and City of Marion re Central Reserve and Greenway	Tony Lines
1 November 2021	Meeting | Clean Peak Energy	Tony Lines
3 November 2021	Meeting | Teamgage Product Feedback – Madison O'Brien and Janet Langley (Teamgage)	Sorana Dinmore
3 November 2021	Meeting | Judith Sellick (Judith Sellick Consulting)	Sorana Dinmore
4 November 2021	LGA CEO Briefing re CVOID Vaccinations	Tony Harrison
4 November 2021	LGA CEO Advisory Group meeting	Tony Harrison
5 November 2021	Meeting | Tony Harrison and David Speirs MP	Tony Harrison
5 November 2021	Meeting | SA Water and City of Marion re Cove Road	Tony Lines
5 November 2021	LG Professionals Women's Network Conference	Sorana Dinmore
8 November 2021	Launch Event | Southern Materials Recycling Facility (SMRF)	Tony Harrison Ilia Houridis Sorana Dinmore Tony Lines
9 November 2021	Meeting | Local Government Infrastructure Partnership Program (LGIPP) Funding Exemptions Information Gathering	Ilia Houridis
9 November 2021	SMRF JV Advisory Committee Meeting	Sorana Dinmore
9 November 2021	Event | 2021 Resilient Australia Awards and launch of Stronger Together	Tony Lines
10 November 2021	Meeting | Morphettville Infield	Tony Harrison

	Development Update	Ilia Houridis
10 November 2021	Meeting | SAALC Governance Board	Ilia Houridis
10 November 2021	Meeting | Donna Dunbar (City of Charles Sturt) | Sorana Dinmore	Sorana Dinmore
11 November 2021	Meeting | Tony Harrison and Geoff Strempel (State Library SA)	Tony Harrison
11 November 2021	Meeting | AWS and City of Marion	Sorana Dinmore
12 November 2021	Meeting | T2D Project Discussion with City of Marion & Department for Infrastructure & Transport	Ilia Houridis
12 November 2021	Meeting | Gartner Australia and City of Marion	Sorana Dinmore
12 November 2021	Meeting | KPMG Internal Audit Kick-Off Meeting	Tony Lines Ilia Houridis
15 November 2021	Payroll PIR Meeting | Adam Villani (Beesquared)	Sorana Dinmore
16 November 2021	Meeting | Google and City of Marion	Sorana Dinmore
17 November 2021	Event | Future Energy Summit - Resilient South	Ilia Houridis Tony Lines
17 November 2021	Meeting | Tony Harrison (City of Marion) and Jayne Stinson (Member for Badcoe)	Tony Harrison
18 November 2021	Meeting | Clean Peak Energy	Tony Lines
18 November 2021	Meeting | SA Power Network re trees under powerlines	Tony Lines
23 November 2021	Meeting | Tony Harrison, Matthew Pears, Terry Buss and Peter Tsokas re Torrens to Darlington Southern Tunnel	Tony Harrison

Moved Councillor Shilling **Seconded Councillor Mason**

That the CEO and Executive Communication report be received and noted.

Carried Unanimously

7 Adjourned Items - Nil

8 Deputations

8.1 Deputation - Request from Alistair Gass (Denied)
Report Reference GC211123D8.1

Mr Gass has requested to make a deputation to Council regarding a tree in front of his house and verge maintenance.

The request was declined on the basis that:

- The preferable avenue for this complaint would be through the internal review process in accordance with Council's Complaints and Grievances Policy instead of deputation to Council.

9 Petitions - Nil

10 Committee Recommendations

10.1 Confirmation of the minutes for the Asset and Sustainability Committee meeting held on 2 November 2021
Report Reference GC211123R10.1

Moved Councillor Shilling **Seconded Councillor Prior**

That Council

1. Received and notes the minutes of the Asset and Sustainability Meeting Committee meeting held on 2 November 2021.

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

Carried Unanimously

11 Corporate Reports for Decision

11.1 Community Grants Report Round 1 2021-22
Report Reference GC211123R11.1

Moved Councillor Veliskou **Seconded Councillor Clancy**
That Council:

1. Notes that the Hindu Society of SA Inc. (as the highest scoring application for $10,000) is recommended to receive the single grant amount of up to $10,000.

2. Endorses the following projects for the Community Grants Program Round One funding in 2021-2022:

    - Hindu Society of SA Inc – Verge beautification project at Hindu Society Community Cultural Centre and Shri Ganesh Temple ($10,000)
    - Bangladesh Club Australia – Asian Multicultural Night 2021 ($4,000)
    - Portlife Seaview – Build Portlife Seaview Community Playground and Café ($5,000)
    - Warradale Community Children's Centre – Aboriginal mural artwork ($4,114)
    - Park Holme Community Hall and Committee of Management Incorporated – purchase of AED ($2,835)
    - Pan Iaconian Society of South Australia – purchase of projector ($2,649)
    - Lions Club of Hallett Cove & Districts Inc – purchase of audio-visual equipment ($3,317)
    - Sheidow Park Cricket Club Inc – Girls 4 Cricket ($2,629)
    - Friends of Sturt River Landcare Group – purchase of trailer for biodiversity work by volunteers ($4,694)
    - Royal Life Saving Society Aust South Australia Branch Inc – Water Safety Education for CALD communities ($5,000)
    - Adelaide Cricket Club – purpose fit equipment for the newly established female cricket program ($5,000)

Carried Unanimously

11.2 Youth Development Grants 2021-2022
Report Reference GC211123R11.2

Moved Councillor Veliskou **Seconded Councillor Clancy**

That Council:

1. Endorses the following projects for the Youth Development Grants funding in 2021-2022:

- Headspace - Adelaide Northern Division of General Practice (trading as Sonder) - Native Australian planting and bush tucker workshops ($10,000)
- Headspace -Adelaide Northern Division of General Practice (trading as Sonder) - A LGBTIQA+ social support youth group ($10,000)
- Whitelion Youth Agency - Invest in Us - A trauma informed educational group program ($10,000)
- YMCA Youth and Family Services - Youth Fridays at the Y - A Friday night youth drop-in group ($9,900)
- YMCA Youth and Family Services - Y-Connect - School holiday activity days ($9,900)
- On The Flip Side - Skate Daze - A youth music, food and skate event ($10,000)
- MarionLIFE Community Services - A mobile outreach youth service ($10,000)
- Reclink Australia - Explore SA - An 8-week adventure, wellbeing and resilience program ($10,000)
- Reclink Australia - Reclink Youth - a sport, arts and recreation program with links to employment pathways ($10,000)
- Flinders University, New Venture Institute - Be Your Own Boss - a design thinking and entrepreneurial program ($8,975)
- Junction - Dungeons & Dragons, an online group ($6,500)
- YMCA Youth and Family Services - DRUMBEAT - a therapeutic drumming program ($6,000)
- Islamic Society of South Australia - A photography project and exhibition ($8,000)

Carried Unanimously

11.3 Rescission Motion - LED Street Lighting
Report Reference GC211123R11.3

Councillor Shilling declared a material conflict of interest in the item *Rescission Motion – LED Street Lighting (GC211112R11.3)* due to the location of where he resides.

6.40 pm Councillor Shilling left the meeting

Moved Councillor Duncan **Seconded Councillor Mason**

That Council:

1. Rescinds point 2 from the resolution of Council made on 9 February 2021 (GC210209M01) regarding Street Lighting – Dover Gardens
    a. No further action be taken in regard to the removal of the heritage post top fittings across the City of Marion.

And that Council resolves the following:

That Council:

1. Endorses the street lighting post top upgrades within each Ward as follows (further detail of the scope is included in Attachment 1):

- Coastal – change over 7 old post top lights to an outreach and LED fitting, notifying residents directly impacted.
- Mullawirra – change over 20 outreach LED fittings to Kensington post top LED fittings, notifying residents in each of the streets where streetlights are changed over.
- Southern Hills – change over 15 old post top lights to an outreach and LED fitting at Paul Court, O'Halloran Hill; Craig Avenue, O'Halloran Hill and Bayley Circuit, Trott Park, notifying residents directly impacted. Consult residents to either retain or change over the existing lights from heritage post top light to the outreach and LED fitting at Hallett Cove Heights, Trott Park (Lucy Court) and Sheidow Park, and implement the feedback of the majority.
- Warracowie – retain existing heritage fittings, noting that when they fail, SAPN will replace the old fitting with a new Kensington LED fitting at SAPN's cost.
- Warriparinga – change over 30 old post top lights to an outreach and LED fitting in Mitchell Park and Clovelly Park, notifying residents directly impacted. Consult with impacted residents in Darlington to either retain the existing lights or change over the old post top fittings to new outreach LED fittings, and implement the feedback of the majority.
- Woodlands – no outstanding post top streetlights remain.

2. Notes that the above streetlight upgrade will address all remaining streetlights under Council's original LED streetlight conversion business case.

3. Approves funding of up to $46k for installation of the above street lighting strategy to be allocated from 'Other Infrastructure' 2022-23 capital works budget.

Carried Unanimously

6.43pm Councillor Shilling re-entered the meeting

11.4 Community Safety Inspectors - Hours and Service Levels

Report Reference GC211123R11.4

Moved Councillor Clancy **Seconded Councillor Veliskou**

That Council:

1. Notes this report.

2. Expands the after-hours community safety service to include attendance and investigation of local nuisance and illegal parking matters.

3. Allocates $20,000 (on a pro-rata basis) for the remainder of 2021/22 to the after-hours CSI service as part of Council's 2nd Budget Review Process, and fund $20,000 per year on-going (indexed) thereafter.

6.45pm Councillor Crossland left the meeting
6.45pm Councillor Masika left the meeting

Carried Unanimously

11.5 Marion Cultural Centre - 21 Year Celebration
Report Reference GC211123R11.5

Moved Councillor Hull **Seconded Councillor Prior**

That Council:

1. Endorses option A at a maximum cost of $21,000 to celebrate the 21st Birthday of the Marion Cultural Centre for consideration as part of the annual business planning process for 2022-23.

Amendment

Moved Councillor Veliskou

That Council:

1. Endorse the following activities to celebrate the 21st Birthday of the Marion Cultural Centre for consideration as part of the annual business planning process for 2022-23:
   - Marketing and promotion $2,000
   - Visual activities $2,500
   - Literary activities $4,000
   - Performing artists $2,000\

The amendment to become the motion lapsed for want of a Seconder
The Motion was Carried

Procedural Motion

Moved Councillor Shilling **Seconded Councillor Telfer**

That the following items be moved en bloc:

- MAB Circuit Tonsley - Partial Road Closure
- Policy Review - Purchase Card Policy and Procurement and Contract Management Policy
- Local Government Reform - Round 2 Regulations - Feedback sought
- Review of Terms of Reference - Finance and Audit Committee and Review and Selection Committee

Carried Unanimously

11.6 MAB Circuit Tonsley - Partial Road Closure

Report Reference GC21112311.6

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Authorises the commencement of the Roads (Opening and Closing) Act process to close approximately 107 square metres of MAB Circuit Tonsley adjacent Q625 in D127146 which requires:
   - Preparation of a preliminary plan.
   - Preparation of a statement of affected parties and
   - Undertaking of public consultation.

2. Notes that the closed road will be merged with the adjacent land at Q625 in D127146 being portion of the land in Certificate of Title Volume 6255 Folio 330.

3. Authorises the preparation and execution of a Preliminary Agreement with the current owners of Q625 in D127146 for the transfer of land subject to:
   - The outcome and Council resolution as a result of the public consultation process; and
   - Successful completion of the road closure process.

4. Notes that a report will be brought to Council for consideration of the outcome of the consultation under the Roads (Opening and Closing) Act 1991.

5. Pursuant to Section 37(b) of the Local Government Act 1999 authorises the Chief Executive Officer to enter into and execute all documentation necessary to commence the road closure process.

6. The transfer of land to the owners of Q625 in D127146 is to be:
   - Exempt from the Disposal of Land and Assets Policy in all respects;
   - For no monetary consideration; and
   - Council will not seek valuations from a Licenced Valuer.

Carried Unanimously

11.7 Policy Review - Purchase Card Policy and Procurement and Contract Management Policy

Report Reference GC211123R11.7

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Rescind the Purchase Card Policy as attached to this report, noting that it has been replaced with a Corporate Policy.

2. Endorse the revised Procurement and Contract Management Policy.

Carried Unanimously

11.8 Local Government Reform - Round 2 Regulations - Feedback Sought

Report Reference GC211123R11.8

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Endorse the submission and feedback to the Local Government Association on the *Local Government Reform Round 2 Regulations Summary Paper.*

Carried Unanimously

11.9 Review of Terms of Reference - Finance and Audit Committee and Review and Selection Committee

Report Reference GC211123R11.9

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Adopts the Terms of Reference for the Finance, Risk and Audit Committee provided in Attachment 1, in accordance with Section 41 and 126 of the *Local Government Act 1999.*

2. Adopts the Terms of Reference for the Review and Selection Committee provided in Attachment 2, in accordance with Section 41of the *Local Government Act 1999*.

Carried Unanimously

11.10 Adelaide Now Subscription

Report Reference GC211123R11.10

6.51pm Councillor Crossland re-entered the meeting
6.51pm Councillor Masika re-entered the meeting

Moved Councillor Veliskou **Seconded Councillor Mason**

That Council:

1. Amends the Council Members' Allowances and Benefits Policy to include the provision of an online Adelaide Now Subscription through the addition of the following:

   2.8.16 Council Members will be offered an annual online Adelaide Now Subscription through a corporate account for up to $200 per Council Member, per year.

Carried

11.11 Artificial Turf on Council Verges
Report Reference GC211123R11.11

Councillor Veliskou declared an actual conflict of interest in the item as he has an interest in one of the affected properties (strata units).

7.13pm Councillor Veliskou left the meeting

Moved Councillor Shilling **Seconded Councillor Duncan**

That Council:

1. Implements Option 2 – Direct the removal of artificial turf installed after May 2019, but allow turf installed before that date. That Council:

   a. Directs removal of all artificial turf installed after May 2019 when Council amended the Verge Development Guidelines to disallow artificial turf (GC190312M07),

   b. Requests owners without a Section 221 permit to remove any artificial turf installed before May 2019 when Council amended the Verge Development Guidelines to disallow artificial turf and,

   c. Note that if the owner declines Council's request to remove artificial turf installed before May 2019 then a Section 221 permit will be used to retrospectively assess existing artificial turf treatments for consideration as an "exemption" to Council's Verge Development Guidelines. Section 221 permits will include the following conditions:

      i. That the resident accepts responsibility to maintain the verge development in a safe and serviceable condition at all times.
      ii. The property owner accepts liability for injury, damage or loss resulting from anything done under an authorised verge development.
      iii. That all costs involved with the verge development or alteration of a verge (including authorised alteration of any Council infrastructure) are to be borne by the property owner. Further, works associated with the relocation/ alteration of non-Council (e.g. SAPN, SA Water) services or other constraints must be arranged by the property owner through those relevant authorities and may result in separate costs, payable to those authorities or associated with reinstatement.
      iv. That Council reserves the right to instruct the owner to repair or remove at the owner's cost, if the serviceable condition or safety of the verge treatment is compromised.

   d. Notes that where staff become aware of any future artificial turf installations, property owners will be instructed to remove the artificial turf in accordance with the compliance process set out in Attachment 1.

   e. Notes that an additional short-term staff resource will be needed to assess and implement this resolution, and costs for this will be covered under existing budgets or if necessary, through quarterly budget reviews.

   f. Notes that there will be cost to Council for removal of artificial turf that was installed by a previous property owner, and the costs for this will be covered under existing budgets or included in future Annual Business Plans.

g. Notes that a wider community education and awareness campaign is currently being developed to inform residents of the implications associated with the use of artificial turf.

Carried

Councillor Hull called a Division:
Those For: Councillors Masika, Crossland, Mason, Clancy, Telfer, Shilling and Duncan
Those Against: Councillors Prior, Hull and Hutchinson

Carried

7.20pm Councillor Duncan left the meeting

Procedural Motion

Moved Councillor Shilling **Seconded Councillor Telfer**

That the following Corporate Reports for Information / Noting be moved en bloc:

- WHS Monthly Performance Report - October 2021
- Corporate Risk Review Report Q1 2021/22
- Strategic Risk Report
- Economic Development Six Monthly Update

Carried Unanimously

12 Corporate Reports for Information/Noting

12.1 WHS Monthly Performance Report October 2021
Report Reference GC211123R12.1

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Notes the report and statistical data contained therein.

Carried Unanimously

12.2 Corporate Risk Review Report Q1 2021/22
Report Reference GC211123R12.2

Moved Councillor Shilling **Seconded Councillor Telfer**

1. That Council notes the report.

Carried Unanimously

12.3 Strategic Risk Report
Report Reference GC211123R12.3

Moved Councillor Shilling **Seconded Councillor Telfer**

1. That the Council notes the strategic risks and current risks ratings outlined within the report.

Carried Unanimously

12.4 Economic Development Six Monthly Update
Report Reference GC211123R12.4

Moved Councillor Shilling **Seconded Councillor Telfer**

That Council:

1. Notes the Economic Development function report.
2. Notes the report will be provided via email in the future.

Carried Unanimously

12.5 Cooinda Neighbourhood Centre - Extended Hours (Winter Months)
Report Reference GC211123R12.5

Moved Councillor Telfer **Seconded Councillor Shilling**

That Council:

1. Notes the report.

Carried Unanimously

Procedural Motion

Moved Councillor Hutchinson **Seconded Councillor Telfer**

That the following items be moved en bloc:

- Minutes of the LGA Annual General Meeting held on 29 October 2021
- Finance Report - October 2021
- Questions Taken on Notice Register

Carried Unanimously

12.6 Minutes of the LGA Annual General Meeting held 29 October 2021
Report Reference GC211123R12.6

Moved Councillor Hutchinson **Seconded Councillor Telfer**

That Council:

1. Notes the minutes of the LGA AGM held 29 October 2021.

Carried Unanimously

12.7 Finance Report - October 2021
Report Reference GC211123R12.7

Moved Councillor Hutchinson **Seconded Councillor Telfer**

That Council:

1. Receives the report "Finance Report – October 2021"

Carried Unanimously

12.8 Questions Taken on Notice Register
Report Reference GC211123F12.8

Moved Councillor Hutchinson **Seconded Councillor Telfer**

That Council:

1. Notes the report 'Questions Taken on Notice Register'.

Carried Unanimously

13 Workshop / Presentation Items - Nil

14 Motions With Notice

14.1 Addressing the Digital Divide
Report Reference GC211123M14.1

Moved Councillor Veliskou **Seconded Councillor Shilling**

1. That council provide a report and draft policy on how council will operate so it does not disadvantage or exclude residents who cannot access or utilise digital contact or engagement options.

Carried Unanimously

Procedural Motion

Moved Councillor Masika **Seconded Councillor Crossland**

That the following items be moved en bloc:

- Cover Report - The Boatshed Cafe - Leasing Arrangements
- Cover Report - Unsolicited Proposal - 262 Sturt Road, Marion
- Leave of Absence - Councillor Tim Gard

Carried Unanimously

15 Questions With Notice - Nil

16 Confidential Items

16.1 Cover Report - The Boatshed Cafe - Leasing Arrangements
Report Reference GC211123F16.1

Moved Councillor Masika **Seconded Councillor Crossland**

That pursuant to Section 90(2) and (3) (b)(i)(ii) and (d)(i)(ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Chief Financial Officer, Manager Office of the Chief Executive, Manager City Property, Unit Manager Land and Property, Senior Property Officer, Communications Advisor, Unit Manager Sport and Recreation, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to The Boatshed Café Leasing Arrangements, 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 items that are commercial in confidence.

Carried Unanimously

7.28pm the meeting went into confidence.

Meeting Suspension

Moved Councillor Veliskou **Seconded Councillor Masika**

That formal meeting procedures be suspended to discuss the item

Carried Unanimously

8.14pm formal meeting procedures suspended
8.18pm formal meeting procedures resumed

Moved Councillor Hull **Seconded Councillor Veliskou**

That Council:

(Alternative - Option 2):

1. Notes that the lessees of The Boatshed have not undertaken all of the Stage 3 works as detailed in the lease agreement to its reasonable satisfaction within the specified timeframe.

2. Agrees to undertake at its cost the remaining Stage 3 works to The Boatshed, Hallett Cove, including installation of disabled access to the first floor of the building via a lift and ramp, disabled access to the deck, and any required fire safety compliance works.

3. Will make financial provision for these works, following detailed cost estimates being obtained by Council administration, in its 2021/2022 Capital works budget

4. Resolves to obtain a market rent valuation for The Boatshed, Hallett Cove, as at 20 December 2019, from an independent valuer, and that this rent be applied retrospectively back dated to 20 December 2019, and increased in line with CPI on 20 December 2020 and 20 December 2021.

5. Obtain a market rental valuation from an independent valuer following completion of the Stage 3 works by Council, taking into account the works undertaken, and that this rent be applied from 1 December 2022 with the rent reviewed annually in accordance with CPI on 20 December each year of the remaining term.

6. agrees to grant the right of renewal for the further term of seven (7) years provided the lessee pays the outstanding rent amount in full, or enters into a payment plan acceptable to Council by 30 January 2022, and is not otherwise in breach of any terms of the lease.

7. In the event that the lessee declines to accept the renewed lease on the terms outlined above, authorises the issuing of one month notice of termination of the lease in accordance with the holding over provisions, and the appointment of a commercial real estate agent to seek expressions of interest for the lease of the premises.

Carried Unanimously

Moved Councillor Hull **Seconded Councillor Prior**

8. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, The Boatshed Café Leasing Arrangements, any appendices arising from this report having been considered in confidence under Section 90(2) and (3)(b)&(d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried

8.27pm Councillor Mason left the meeting
8.28pm Councillor Mason re-entered the meeting

Moved Councillor Hutchinson **Seconded Councillor Duncan**

2. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the motion requiring a report in January 2022 (relating to *The Boatshed Cafe)* having been considered in confidence under Section 90(2) and (3)(b)of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried Unanimously

8.36pm the meeting came out of confidence.

16.2 Cover Report - Unsolicited Proposal - 262 Sturt Road, Marion

Report Reference GC211123F16.2

Moved Councillor Masika **Seconded Councillor Crossland**

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the *Local Government Act 1999,* the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Manager City Activation, Manager Finance, Unit Manager Communications, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Unsolicited Proposal – 262 Sturt Road, Marion, 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 a proposal from a third party.

Carried Unanimously

8.37pm the meeting went into confidence.
8.37pm Councillor Crossland left the meeting and did not return

Moved Councillor Telfer **Seconded Councillor Hutchinson**

That In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Unsolicited Proposal – 262 Sturt Road, Marion, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

Carried

Councillor Shilling called a Division:
Those For: Councillors Masika, Mason, Veliskou, Clancy, Prior, Hull, Telfer and Hutchinson
Those Against: Councillors Shilling and Duncan

Carried

8.51pm the meeting came out of confidence.

17 Motions Without Notice - Nil

18 Questions Without Notice - Nil

19 Other Business

19.1 Leave of Absence - Councillor Tim Gard

19.1 - Leave of Absence – Councillor Tim Gard
Report Reference GC211123R19.1

Moved Councillor Masika **Seconded Crossland**

That Council:

1. Councillor Tim Gard is granted a leave of absence from 25 October 2021 until 31 December 2021.

Carried Unanimously

20 Meeting Closure

The meeting was declared closed at 8.52pm.

CONFIRMED THIS 14TH DAY OF DECEMBER 2021

_____
CHAIRPERSON

6 Communications - Nil

7 Adjourned Items - Nil

8 Deputations - Nil

9 Petitions - Nil

10 Committee Recommendations - Nil

11 Corporate Reports for Decision

11.1 Review of Confidential Items Overview - 2021	
Report Reference	GC211214R11.1
Originating Officer	Governance Officer – Angela Porter
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

To conduct a review of items from Council and Committee meetings that remain under a confidentiality order.

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.

Of the two hundred and twenty five (225) confidential orders identified for review, sixteen (16) reports have been recommended for release, sixteen (16) to be released in part, twelve (12) to be released with redactions, and one hundred and eighty three (181) orders are to be retained for further review in December 2022. A further thirteen (13) items were released and one (1) item

released in part during 2021 following cessation of a confidentiality order (all requirements triggering release having been met), CEO delegation to revoke or further review by Council.

RECOMMENDATION

That Council:

1. **Notes that Administration has undertaken an Annual Review of all items with a current confidentiality order.**
2. **Endorses the recommendations as detailed in Attachment 1 with the exception of the following items, to be considered separately:**
    a. **XX**
    b. **XX**
3. **Reviews all items with a remaining confidential order in December 2022.**

DISCUSSION

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.

Under Council's Management of Confidential Items Framework all confidentiality orders made by Council or a Council Committee are referred to the December meeting of Council each year for review. Orders that have lapsed or been revoked prior to the December meeting each year do not require review.

Attachment 1 details all confidential orders requiring review and recommendations either to release or retain the order.

Current Review
The reports are listed in the attached Schedule of Confidential Items 2004 – 2021 (Attachment 1) by recommendation, that is, release, release with redactions or retain. The subject and date, a brief description of the item, the grounds for confidentiality and the recommendation are also included in the table.

Of the two hundred and twenty five (225) confidential orders identified for review, sixteen (16) reports have been recommended for release, sixteen (16) to be released in part, twelve (12) to be released with redactions, and one hundred and eighty three (181) orders are to be retained for further review in December 2022 unless revoked prior.

A further thirteen (13) items were released and one (1) item released in part during 2021 following cessation of a confidentiality order (all requirements triggering release having been met), CEO delegation to revoke or further review by Council.

It is proposed to endorse the recommendations as detailed in Attachment 1, however if Council wish to vary any of the recommendations, it would be suggested these be pulled out and dealt with as a separate motion and as individual items.

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. It is general practice to retain commercial information for seven years before consulting with any third parties and recommending release. Should the confidentiality orders be retained or new orders created, then the orders will be referred to the December 2022 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 197 reports with confidentiality orders. The table below summarises the grounds on which the 197 reports have been considered to be retained in confidence in accordance with the *Local Government Act 1999.*

Number	Grounds for Confidentiality	LG Act Section
59	Personal Information	90(3)(a)
120	Commercial information / duty of confidence	90(3)(b), (d), (g), and / or (j)
5	Security of Council	90(3)(e)
28	Legal Advice / Litigation / Maintenance of Law	90((3)(f), (h) and / or (j)
5	Tenders for Supply	90(3)(k)

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

ATTACHMENTS

1. Attachment 1 - Schedule of Confidential Items 2003-2021 [**11.1.1** - 83 pages]

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
1	352a	Confirmation of Confidential Minutes of the Infrastructure and Strategy Committee Meeting held 1 May 2018 Report Reference: GC220518F01	90 (3) (b) (d)	Commercial Information. Contrary to public interest	Content does not contain information of a commercial nature that is required to be kept in confidence. Minutes previously released.	Yes	That: 1. The confidentiality order pertaining to the report 'Confidential Minutes of the Infrastucture and Strategy Committee meeting held 1 May 2018, Report Reference: GC220518F01', and appendices be revoked.
2	383	S48 Prudential Management Review – Waste Services Report Reference: FAC190226F01	90 (3) (b) and (d)	Commercial Information - Public Interest	Report contains the S48 Prudential Management Review – Waste Services. The tender has now concluded and contracts have been awarded. The passage of time (including with major changes within the waste industry) suggest the information contained within the original report is no longer reflective of current market conditions. It is recommended that information be released in full.	Yes	1. The confidentiality order pertaining to the report S48 Prudential Management Review - Waste Services, Report Reference: FAC190226F01', appendices and minutes be revoked.
3	386	Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 26 February 2019 Report Reference: GC190312F01	90 (3) (b) and (d)	Commercial Information - Public Interest	Report contains the S48 Prudential Management Review – Waste Services. The tender has now concluded and contracts have been awarded. The passage of time (including with major changes within the waste industry) suggest the information contained within the original report is no longer reflective of current market conditions. It is recommended that information be released in full.	Yes	That: 1. The confidentiality order pertaining to the report 'Confirmation of the confidential minutes of the Finance and Audit Committee meeting held on 26 February 2019, Report Reference: GC190312F01', appendices and minutes be revoked.
4	387	S48 Prudential Management Review – Waste Services Report Reference: GC190312F02	90 (3) (b) (d)	Commercial Information - Public Interest	Report contains the S48 Prudential Management Review – Waste Services. The tender has now concluded and contracts have been awarded. The passage of time (including with major changes within the waste industry) suggest the information contained within the original report is no longer reflective of current market conditions. It is recommended that information be released in full.	Yes	That: 1. The confidentiality order pertaining to the report S48 Prudential Management Review - Waste Services, Report Reference: GC190312F02', appendices and minutes be revoked.
5	500	LKCC Management Model - SCI Submission Report Reference: GC201208F04	90 (3) (d)	Commercial Information - Public Interest	Agreement has been signed by both parties. The report, attachments and minutes can be released. Third party consulted and have agreed to release in full.	Yes	That: 1. The confidentiality order pertaining to the report 'LKCC Management Model - SCI Submission, Report Reference GC201208F04' be revoked.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
6	511	Internal Audit Contract Report Reference: FAC210223F02	90 (3) (d)	Commercial Information - Public Interest		Yes	That: 1. The confidentiality order pertaining to the report 'Internal Audit Contract, Report Reference: FAC210223F02', and the minutes arising from this report be revoked.
7	519	Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 23 February 2021 Report Reference: GC210323F01	90 (3) (a), (d)	Personal Affairs Commercial Information - Public Interest	Item relates to minutes of Fleet Management and Maintenance and Internal Audit Contract reports that have been released. The attachment is no longer required to be kept confidential.	Yes	That: 1. The confidentiality order pertaining to the attachment to this report 'Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 23 February 2021, Report Reference: GC210323F01', be revoked.
8	520	Internal Audit Contract Report Reference: GC210323F02	90 (3) (d)	Commercial Information - Public Interest		Yes	That: 1. The confidentiality order pertaining to the report 'Internal Audit Contract Report Reference: GC210323F02', the attachments and the minutes arising from this report be revoked.
9	528	LKCC Management Model - SCI Submission Report Reference: GC210427F05	90 (3) (d)	Commercial Information - Public Interest	Agreement has been signed by both partes. The report, attachments and minutes can be released. Third party consulted and have agreed to release in full.	Yes	That: 1. The confidentiality order pertaining to the report LKCC Management Model - SCI Submission, Report Reference: GC210427F05', the attachments and the minutes arising from this report be revoked.
10	534	Review and Selection Committee - Appointment of Independent Council Assessment (CAP) Members Report Reference: GC210511F02	90 (3) (a)	Personal Affairs	Recommend for release, candidates notified and information is now public.	Yes	That 1. The confidentiality order pertaining to the report 'Review and Selection Committee - Appointment of Independent Council Assessment Panel (CAP) Members, Report Reference: GC210511F02', and minutes be revoked.
11	539	Questions Taken on Notice Register Report Reference: GC210525F03	90 (3) (b) (g)	Commercial Information - Public Interest Duty of Confidence	It is recommended that this item be released as it relates to the Westminster items which have now been released.	Yes	That: 1. The confidentiality order pertaining to the report 'Questions Taken on Notice Register, Report Reference: GC210525F03', attachment and minutes be revoked.
12	545	LKCC Management- Final Negotiated Agreement with SCI Report Reference: GC210622F02	90 (3) (d)	Commercial Information - Public Interest	The minutes have been released. Third party consulted and agreed to release in full.	Yes	That: 1. The confidentiality order pertaining to the report 'LKCC Management- Final Negotiated Agreement with SCI, Report Reference: GC210622F02', the attachments and the minutes arising from this report be revoked.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
13	556	Confirmation of the confidential minutes for the Review and Selection Committee held on 3 August 2021 Report Reference: GC210810F18.3	90 (3) (a)	Personal Affairs	Recommend to release report, attachments and minutes as they do not contain any information relating to personal affairs.	Yes	That: 1. The confidentiality order pertaining to the report 'Confirmation of confidential minutes for the Review and Selection Committee held on 3 August 2021, Report Reference: GC210810F18.3', attachments and minutes be revoked.
14	557	Appointment of Independent Member - Finance and Audit Committee Report Reference: GC210810F18.4	90 (3) (a)	Personal Affairs	Appointment of the Independent Member Finance and Audit Committee has been finalised and the Member has been notified, report and minutes to be released.	Yes	That: 1. The confidentiality order pertaining to the report 'Appointment of Independent Member - Finance and Audit Committee, Report Reference: GC210810F18.43', and minutes be revoked.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
43	31	Living Kaurna Cultural Centre GC250105F02	S. 90(3)(a)	Personal information	The minutes have previously been released as they do not contain information relating to personal affairs. It is recommended that the report be released as a significant passage of time has now passed and the information is no longer required to be kept confidential.	Yes	That: 1. The confidentiality order pertaining to the report 'Living Kaurna Cultural Centre, Report Reference: GC250105F02', and any attachments to this report be revoked.
44	34	Living Kaurna Cultural Centre GC220305F01	S. 90(3)(a)	Personal information	The minutes have previously been released as they do not contain information relating to personal affairs. It is recommended that the report be released as a significant passage of time has now passed and the information is no longer required to be kept confidential.	Yes	That: 1. The confidentiality order pertaining to the report 'Living Kaurna Cultural Centre, Report Reference: GC220305F01', and any attachments to this report be revoked.
15	338	Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 30 January 2018. Reference No: GC130218F01	90 (3) (a)	Personal Affairs	Report and minutes do not contain any confidential information and can be released. Attachment contains personal information of candidates. To be reviewed 2022 as part of the Annual Review of Confidential Orders.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 30 January 2018, Report Reference: GC130218F01' and any minutes arising from this report be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report, 'Confirmation of the Confidential Minutes of the Review and Selection Committee meeting held 30 January 2018, Report Reference: GC130218F01', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2021.
16	395	Council Owned Vineyards Report Reference: GC190423F03	90 (3) (d)	Commercial Information - Public Interest	Minutes previously released. Release report as it does not contain any information that needs to remain confidential. Retain attachments as they contain commercial details of current contract. Review in December 2021 as part of Annual Review of Confidential Orders.	Yes - in part	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the attachments to the report, 'Council Owned Vineyards, GC190423F03', be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
17	424	Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019 Report Reference: GC190924F01	90 (3) (a) and (d)	Personal Affairs Commercial Information - Public Interest	Report does not contain any confidential information. Attachment contains minutes of a meeting held in confidence relating to the ICT Service Review. Contains personal affairs, to be retained.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, Report Reference: GC190924F01' be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report, 'Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting – 20 August 2019, Report Reference: GC190924F01', having been considered in confidence under Section 90(2) and (3)(a) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the basis that the information contains personal affairs and commercial information relating to the ICT Service Review. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
18	445	Confirmation of Confidential Minutes of the Finance and Audit Committee held on 10 December 2019 Report Reference: GC200128F01	90 (3) (d)	Commercial Information - Public Interest	It is recommended that the report be released as it does not contain any confidential information. The minutes have been previously released. The attachment is confidential minutes relating to SRWRA MRF. To be retained until related reports are released. Review December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of Confidential Minutes of the Finance and Audit Committee held on 10 December 2019, Report Reference: GC200128F01' be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this the attachments and minutes arising from the report, 'Confirmation of Confidential Minutes of the Finance and Audit Committee held on 10 December 2019, Report Reference: GC200128F01', having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the basis that the information contains minutes of a meeting held in confidence and containing commercial information relating to the SRWRA MRF. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
19	510	Service Review - Fleet Management and Maintenance - Report Report Reference: FAC210223F01	90 (3) (a), (d)	Personal Affairs Commercial Information - Public Interest	Report contains personnel matters and commercially sensitive information. Review in December 2022 as part of Annual Review. Minutes do not contain any confidential information and can be released.	Yes - in part	That: 1. The confidentiality order pertaining to the minutes of the report 'Service Review - Fleet Management and Maintenance - Report, Report Reference: FAC210223F01 ' be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this the attachments and minutes arising from the report, 'Service Review - Fleet Management and Maintenance - Report, Report Reference: FAC210223F01', having been considered in confidence under Section 90(2) and (3)(a) and (d) of the Act be kept confidential and not available for public inspection on the basis that the information contains information related to personnel matters and 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. 3. This confidentiality order will be reviewed at the General Council Meeting in December 2022.
20	525	Confirmation of the confidential minutes for the Special General Council Meeting held on 8 April 2021 Report Reference: GC210427F02	90 (3) (a)	Personal Affairs	Minutes not retained in confidence. Recommend report to be released as it does not contain any confidential information. Attachment contains personal affairs relating to the recruitment of the Chief Executive Officer. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of the confidential minutes for the Special General Council Meeting held on 8 April 2021, Report Reference GC210427F02' be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'CEO Recruitment, Report Reference: SGC210321F02', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the recruitment of the Chief Executive Officer. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
21	526	Confirmation of the confidential minutes for the Special Finance and Audit Committee Meeting held on 13 April 2021 Report Reference: GC210427F03	90 (3) (d)	Commercial Information - Public Interest	Minutes have previously been released. Report does not contain any confidential information and can be released. Attachment needs to remain confidential as due dligence is still progressing in relation to the Edwardstown Urban Renewal Project Prudential Report. To be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of the confidential minutes for the Special Finance and Audit Committee Meeting held on 13 April 2021, Report Reference: GC210427F03' be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report, 'Confirmation of the confidential minutes for the Special Finance and Audit Committee Meeting held on 13 April 2021, Report Reference: GC210427F03', having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the basis that the information contains commercial information relating to a Prudential Report. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
22	553	Staff Movements and Exit Survey Data Report Reference: RSC210803F5.1	90 (3) (a)	Personal Affairs	Recommend to release report and minutes as they are procedural and do not contain any information relating to personal affairs. Attachment contains personal affairs of council staff. Retain in confidence to be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Staff Movements and Exit Survey Data, Report Reference RSC210803F5.1', and minutes be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Staff Movements and Exit Survey Data, Report Reference: RSC210803F5.1', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to council staff. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
23	559	Appointment of Independent Members - Warriparinga Advisory Team Report Reference: SRSC210820F5.1	90 (3) (a)	Personal Affairs	Recommend release of report and minutes as they do not contain any information relating to personal affairs. Attachment contains personal affairs of successful and unsuccessful candidates. Retain in confidence, to be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Appointment of Independent Members - Warriparinga Advisory Team, Report Reference SRSC210820F5.1', and minutes be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Appointment of Independent Members - Warriparinga Advisory Team, Report Reference: SRSC210820F5.1', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to independent members. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
24	560	Confirmation of the confidential minutes for the Review and Selection Committee held on 20 August 2021 Report Reference: GC210824F18.1	90 (3) (a)	Personal Affairs	Recommend release of report and minutes as they do not contain any information relating to personal affairs. Attachment contains personal affairs of successful and unsuccessful candidates. Retain in confidence, to be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of the confidential minutes for the Review and Selection Committee held on 20 August 2021, Report Reference: GC210824F18.1' and minutes arising from the report be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to the report, 'Confirmation of the confidential minutes for the Review and Selection Committee held on 20 August 2021, Report Reference: GC210824F18.1', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that the information contains minutes of a meeting held in confidence relating personal affairs of Warriparinga Advisory Team candidates. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
25	571	Confirmation of the Confidential Minutes of the Special Review and Selection Committee Meeting held on 21 September 2021 Report Reference: GC211012F16.2	90 (3) (a)	Personal Affairs	Recommend to release report and minutes as they are procedural and do not contain any information relating to personal affairs. Attachment contains information relating to CEO Probationary Review. Retain in confidence to be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of Confidential Minutes of the Special Review and Selection Committee Meeting held on 21 September 2021, Report Reference: GC211012F16.2', and minutes be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Confirmation of the Confidential Minutes of the Special Review and Selection Committee Meeting held on 21 September 2021, Report Reference: GC211012F16.2', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the performance of the Chief Executive Officer. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
26	573	Confirmation of Confidential Minutes of the Planning and Development Committee meeting held on 5 October 2021 Report reference: GC211026F16.2	90 (3) (g) (h) (m)	Duty of Confidence Legal Advice PDI Amendment	Matter ongoing. Recommend release of report as it does not contain any confidential information. Attachment and minutes retained, to be reviewed December 2022.	Yes - in part	That: 1. The confidentiality order pertaining to the report 'Confirmation of Confidential Minutes of the Planning and Development Committee Meeting held on 5 October 2021, Report Reference: GC211026F16.2', be revoked. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments and minutes to this report 'Confirmation of Confidential Minutes of the Planning and Development Committee meeting held on 5 October 2021, Report Reference: GC211026F16.2', having been considered in confidence under Section 90(2) and (3) (g) (h) and (m) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to a development application, legal advice, planning policy matters and Aboriginal Heritage considerations. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
27	304	CAP Independent Member applications Report Reference: RSC190917R8.1	90(3) (a)	Personal affairs	Recommend to release report and minutes with unsuccessful names redacted. It is recommended the attachment be retained as it includes personal information of Council Assessment Panel applicants. Review in December 2022 as part of Annual Review of Confidential Orders.	Yes - in part with redactions	That: 1. The confidentiality order pertaining to the report 'CAP Independent Member Applications, Report Reference: RSC190917R8.1' and minutes be revoked with unsuccessful applicant names redacted. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'CAP Independent Member Applications, Report Reference: RSC190917R8.1', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal information of Council Assessment Panel applicants. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
28	346	Management Model for Regional Facilities Report Reference: GC130318F04	90 (3) (a) (d)	Personal Affairs. Commercial Information.	It is recommended that the report and minutes be released with the financial information redacted. Retain the attachments as they contain financial information that may confer a commercial advantage. To be reviewed December 2022.	Yes - in part with redactions	That: 1. The confidentiality order pertaining to the report 'Management Model for Regional Facilities, Report Reference: GC130318F04', and minutes be revoked with financial figures redacted. 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report, 'Management Model for Regional Facilities, Report Reference: GC130318F04', having been considered in confidence under Section 90(2) and (3)(a) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to personal affairs and commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
29	503	Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021 Report Reference: GC210209F01	90 (3) (a)	Personal Affairs	Report and minutes were not retained. Attachment relates to RSC210202F01 CEO Recruitment (retained) and RSC210202R02 Council Assessment Panel Recruitment Process (released). It is recommended that the attachment be released in part with the minute item relating to CAP released with unsuccessful candidate names redacted. Retain minute item relating to CEO Recruitment, to be reviewed December 2022.	Yes - in part with redactions	That: 1. The confidentiality order pertaining to attachment 1 to this report 'Confirmation of the confidential minutes for the Review and Selection Committee Meeting held on 2 February 2021, Report Reference: GC210209F01' be revoked in part with the minute item relating to Council Assessment Panel Recruitment (RSC210202R02) released with unsuccessful candidate names redacted and in accordance with Section 91(7) and (9) of the Local Government Act 1999, the minute item relating to CEO Recruitment (RSC210202F01) to be redacted and retained in confidence having been considered under Section 90(2) and (3)(a) of the Act and not available for public inspection on the basis that the information contains personal affairs of the Chief Executive Officer. This order is to remain in force until such time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
30	533	Confirmation of the confidential minutes of the Review and Selection Committee Meeting held on 4 May 2021 Report Reference: GC210511F01	90 (3) (a)	Personal Affairs	Report and minutes released. Attachment contains information regarding personal affairs of council staff and independent members. Recommend attachment released in part. Release minutes relating to CAP Recruitment (532) with redactions. Retain minutes relating to Staff Movements and Exit Survey Data (531), to be reviewed December 2022.	Yes - in part with redactions	That: 1. The confidentiality order pertaining to attachment 1 to this report 'Confirmation of the confidential minutes of the Review and Selection Committee Meeting held on 4 May 2021, Report Reference: GC210511F01' be revoked in part with the minute item relating to Council Assessment Panel Recruitment (RSC210504F03) released with unsuccessful candidate names redacted and in accordance with Section 91(7) and (9) of the Local Government Act 1999, the minute item relating to Staff Movements and Exit Survey Data (RSC210504F01) to be redacted and retained in confidence having been considered under Section 90(2) and (3)(a) of the Act and not available for public inspection on the basis that the information contains personal affairs of employees. This order is to remain in force until such time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
31	218	Cove Civic Centre – Cost and programme management GC240215F01	90(2) and (3)(b)(i)&(ii)	Commercial advantage contrary to public interest	It is recommended that this item be released with financial figures redacted	Yes - with redactions	1. The confidentiality order pertaining to the report 'Cove Civic Centre – Cost and programme management, Report Reference: GC240215F01', appendices and minutes be revoked with financial figures redacted.
32	141	Commercial Arrangements GC240112F01	S. 90(3)(d)	Commercial Information	It is recommended to release the report, attachments and minutes with the financial figures redacted as the operator is no longer at the facility. Releasing financial figures will confer a commercial advantage to a third party as council is currently undertaking an expression of interest process for a new operator.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Commercial Arrangements, Report Reference: GC240112F01', appendicies and minutes be revoked with financial figures redacted.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
33	158	Commercial Arrangements GC240712F01	S. 90(3)(d)	Commercial Information	It is recommended to release the report and minutes with the financial figures redacted as the operator is no longer at the facility. The appendix contains financial information and should be retained. Releasing financial figures will confer a commercial advantage to a third party as council is currently undertaking an expression of interest process for a new operator.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Commercial Arrangements, Report Reference: GC240712F01', and minutes be revoked with financial figures redacted. 2. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the appendicies to this report 'Commercial Arrangements, Report Reference GC350823F01', having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains financial information that would 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 to be held in December 2022.
34	179	Commercial Arrangements GC260313F02	S90(3)(d) and (k)	Commercial and tender information	It is recommended to release the report and minutes with the financial figures redacted as the operator is no longer at the facility. The appendix contains financial information and should be retained. Releasing financial figures will confer a commercial advantage to a third party as council is currently undertaking an expression of interest process for a new operator.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Commercial Arrangements, Report Reference: GC260313F02', and minutes be revoked with financial figures redacted. 2. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the appendicies to this report 'Commercial Arrangements, Report Reference GC260313F02', having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) and (k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains financial information that would 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 to be held in December 2022.
35	272	Finance and Audit Committee Confidential Minutes Reference No: GC240117F01	90(3)(d)	Commercial information of a confidential nature – public interest	Minutes have previously been released. Item relates to Marion Outdoor Pool Service Review - defects liability period concluded in October 2021. Item also relates to the Internal Audit Contract which can also be released. It is recommended that the report and appendicies be released with commercial figures relating to the Marion Outdoor Pool redacted.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Finance and Audit Committee Confidential Minutes, Report Reference GC240117F01', and the attachments to this report be revoked with commercial figures relating to the Marion Outdoor Pool redacted.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
36	326	Morphettville Park Sports and Community Club Redevelopment Report Reference: GC281117F06	90 (3) (b)	Confer a commercial advantage	Project has been delivered, with final completion April 2021. Release information with redacted figures within report	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Morphettville Park Sports and Community Club Redevelopment, Report Reference: GC281117F06', and appendices be revoked with financial figures redacted.
37	396	Selection of Candidates for interview /appointment to Council Assessment Panel Report Reference: RSC190507F01	90 (3) (a)	Personal Affairs	Recommended for release with names of unsuccessful applicants redacted from report, all names and identifying information redacted from attachment, minutes and attachment to minutes.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Selection of candidates for interview/appointment to Council Assessment Panel, Report Reference: RSC190507F01' , attachments and minutes be revoked with applicant names and identifying personal information redacted.
38	502a	Council Assessment Panel Recruitment Process Report Reference: RSC210202R02	90 (3) (a)	Personal Affairs	Report and attachments have been released. Recommend to release minutes with personal details of unsuccesful candidates redacted.	Yes - with redactions	That: 1. The confidentiality order pertaining to the minutes of the report 'Council Assessment Panel Recruitment Process, Report Reference: RSC210202R02', be revoked with unsuccessful candidate names redacted.
39	532	Council Assessment Panel Recruitment Process Report Reference: RSC210504R03	90 (3) (a)	Personal Affairs	Report not retained. Recommend minutes released with unsuccessul candidate names redacted.	Yes - with redactions	1. The confidentiality order pertaining to the minutes of the report 'Council Assessment Panel Recruitment Process, Report Reference: RSC210504R03', be revoked with unsuccessful applicant names redacted.
40	540	Appointment of Independent Council Assessment Panel (CAP) Member Report Reference: SRSC210601F01	90 (3) (a)	Personal Affairs	Recommend for release with unsuccessful candidate names redacted, candidates notified and information is now public.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Appointment of Independent Council Assessment Panel (CAP) Member, Report Reference: SRSC210601F01', and minutes be revoked with unsuccessful candidate names redacted.
41	543	Confirmation of the confidential minutes for the Special Review and Selection Committee Report reference: GC210608F03	90 (3) (a)	Personal Affairs	Report does not contain any confidential information. Attachment contains minutes of a meeting held in confidence which is recommended for release with unsuccessful candidate names redacted.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Confirmation of the confidential minutes for the Special Review and Selection Committee, Report reference: GC210608F03', and attachments be revoked with unsuccessful candidate names redacted.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
42	544	Review and Selection Committee - Appointment of Independent Council Assessment Panel (CAP) Members Report Reference: GC210608F04	90 (3) (a)	Personal Affairs	Recommend for release with unsuccessful candidate names redacted, candidates notified and information is now public.	Yes - with redactions	That: 1. The confidentiality order pertaining to the report 'Review and Selection Committee - Appointment of Independent Council Assessment Panel (CAP) Members, Report Reference: GC210608F04', and minutes be revoked with unsuccessful candidate names redacted.
45	72	Provision of Advertising on Bus Shelters to City of Marion GC270207F01	S. 90(3)(d)	Commercial information	Commercial arrangements associated with advertising on City of Marion bus shelters. The current contract is due to expire June 2023. Therefore, it is recommended that information be kept in confidence until the expiration of the contract - to be reviewed in December 2022.	No	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 confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
46	86	Oaklands Regeneration Project, State Aquatic SGC300608F01	S. 90(3)(g)	Commercial information	Appendix 1 contains information over which Council still has a duty of confidence Party consulted and did not agree to release – commercial in confidence. To write to third parties in 2022 to advise that information will be released unless significant reasons can be provided as to why this information should remain confidential. It is recommend to delegate to CEO to release following communications.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix 1 to the report, 'Oaklands Regeneration Project, State Aquatic Centre, SGC300608F01' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)), and to ensure Council does not breach a duty of confidence (Section (3)(g)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
47	136a.	CEO Performance Review – Appointment of External Consultant CRC291111F01	S. 90(3)(a)	Personal information	Report seeks CRC's endorsement to engage external consultant to facilitate CEO performance and remuneration review for 2010/11, 2011/2 2012/2013 and 2013/14. Mr Mark Searle was consulted and agreed to the release of the report in 2016. External parties were previously consulted about appendix 1 and did not agree to release. To write to third parties in 2022 to advise that information will be released unless significant reasons can be provided as to why this information should remain confidential. It is recommend to delegate to CEO to release following communications.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the annexure of the report, Personnel Matter – CEO Performance Review – Appointment of External Consultant, CRC291111F01 having been considered in confidence be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest(Section 90(2) and (3)(d) of the Act). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
48	217	Chief Executive Officer's Employment Contract SGC190215F02	90 (2) and (3) (a)	Personal affairs	Deed relating to this report is confidential as it contains information relating to the personal affairs of a person (living or dead) and Council has duty of confidence / legal obligations in relation to documents. Former CEO and Elected Members to be consulted in 2022 regarding release.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the deed relating to this report Chief Executive Officer's Employment Contract SGC190215F02 distributed at the meeting be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the former Chief Executive Office of the Council (Section (3)(a)), and to ensure Council does not breach any duty of confidence or other legal obligation or duty (Section 90(3)(g)). This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
49	221	Surplus Land associated with City Services Redevelopment GC240315F02	90(2) and (3)(b)(and (d) (i)(&(ii)	Commercial information of a confidential nature contrary to public interest	Report relates to options for dealing with surplus land associated with the City Services Development. The Information in the report remains commercial in confidence. Recommend to remain in confidence for review once a decision concerning surplus land has been made.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that report Surplus Land associated with City Services Redevelopment, GC240315F02 and appendices having been considered in confidence under Section 90 (2) and (3)(b) and (3)(d) of the Act be kept confidential and not available for public inspection. The disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council, and the disclosure of this information would, on balance, be contrary to the public interest as it could prejudice Council's ability to be able to negotiate effectively for the benefit of the Council and the community. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
50	222	Signatures Café GC240315F03	90(2) and 90(3)(d)	Commercial information of a confidential nature Contrary to public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC240315F03, the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
51	232	Internal Audit and Service Reviews – Tender Assessment AC180815F8.2	90(2) and 90(3)(d) and (g)	Commercial advantage / Duty of confidence	Report relates to the tender assessment for internal reviews and internal audit services. Consultation to occur with third parties in 2022. Recommend to delegate to CEO to release following consultation.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Internal Audit and Service Reviews – Tender Assessment, Report Reference: AC180815F8.2', the attachments to this report and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) and (g) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information relating to the tender for the provision of service reviews and internal audit services. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
52	237	Internal Audit and Service Review Tender GC250815F04	90 (2) and (3) (k)	Tender for the supply of goods	Appendix A to the report contains commercial in confidence information regarding tenderers for the provision of service reviews and internal audit services. Consultation to occur with third parties in 2022. Recommend to delegate to CEO to release following consultation.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Internal Audit and Service Review Tender, Report Reference: GC250815F04', having been considered in confidence under Section 90(2) and (3)(k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains information relating to the tender for the provision of service reviews and internal audit services. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
53	238	Investigation GC250815F05	90 (2) and (3) (g)	Duty of confidence / legal obligation	Report contains information into an investigation regarding a Council community facility. Redacted copies have been released, confidentiality remains over un-redacted versions. Council has a duty to keep confidential therefore recommended to remain in confidence to be reviewed 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC250815F05' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the conditions of confidentiality no longer exist. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
54	240	Signature Café GC080915F01	90 (2) and (3) (d)	Commercial info of a confidential nature – contrary to public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC080915F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
55	242	Investigation GC080915F03	90 (2) and (3) (g)	Duty of confidence / legal obligation	Report contains information into an investigation regarding a Council community facility. Redacted copies have been released, confidentiality remains over un-redacted versions. Council has a duty to keep confidential therefore recommended to remain in confidence to be reviewed 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the unredacted versions of the report, 'Investigation, GC080915F03', appendices 1 to 4 and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90 (3)(a)) and contains information over which Council has a duty of confidence or other legal obligation (Section 90(3)(g)). This order is to remain in force until such time as the Council no longer has a duty of confidence. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
56	245	Telecommunications Facilities, Morphettville GC131015R01	90 (2) and (3) (h)	Legal advice	Appendix 3 contains legal advice therefore recommended to remain in confidence to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 3 to the report, 'Telecommunication Facilities Morphettville, GC131015R01' be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
57	253	Signatures Cafe Report Reference: GC260416F01	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC260416F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
58	258	CEO Interim Performance Review Report Reference: GC240516F03	90(3) (a)	Personal affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Interim Performance Review, GC240516F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3) (a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
59	260	Glenthorne Farm Report Reference: 280616F01	90(3)(d)	Commercial information of a confidential nature – public interest	Report relates to considering an approach to achieving community and environmental outcomes at Glenthorne. Confidential Order to remain in place until the project is finalised. Recommend to delegate to the CEO to revoke the order following consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Glenthorne Farm, GC280616F01, appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed , at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
60	261	Signatures Café Report Ref: GC260716F01	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC260416F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
61	263	Local Government Association Membership SGC010816F01	90(3)(d) & (h)	Commercial information of a confidential nature – public interest Legal Advice	Report relates to the City of Marion's membership with the LGA. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Local Government Association Membership, Report Reference: SGC010816F01', and any appendicies, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) and (h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information and legal advice relating to the City of Marion's membership with the Local Government Association. This 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 to be held in December 2022.
62	264	Internal Audit Program Report Reference: FAC160816R7.8	90(3)(e)	Security of Council	The Confidential appendix relates to a cash handling report and should remain confidential to protect the security of Council. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Internal Audit Program, FAC160816R7.8' and the minutes be kept confidential and not available for public inspection on the basis that the Appendix and minutes contains information the disclosure of which could reasonably be expected to affect the security of Council property(Section 90(3)(e) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
63	265	Finance and Audit Committee Confidential Minutes Reference No: GC230816F01	90(3)(e)	Security of Council	Only the appendix to the report remains confidential. This contains the confidential minutes relating to the cash handling report and internal audit program. It should remain confidential to protect the security of Council. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Finance and Audit Committee Confidential Minutes, GC230816F01'be kept confidential and not available for public inspection on the basis that the Appendix to the Report contains information the disclosure of which could reasonably be expected to affect the security of Council property(Section 90(3)(e) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
64	269	CEO Annual Performance Review 2015/16 Report Reference: GC221116F01 Different Report Reference: GC240516F03	90(3) (a)	Personal affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report 'CEO Annual Performance Review 2015/16, Report Reference: GC240516F03' the minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
65	271	Internal Audit Contract Reference No: FAC151216F02	90 (2) and (3) (k)	Tender for the supply of goods	Minutes have previously been released. Report contains commercial information relating to the Internal Audit Contract. Review in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report 'Internal Audit Contract, Report Reference: FAC151216F02', having been considered in confidence under Section 90(2) and (3)(k) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting as the information relates to commercial arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
66	275	CEO Key Performance Indicators for Quarter 2 - 2016/2017 RSC070217R8.1	90(3) (a)	Personal affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report 'CEO Key Performance Indicators for Quarter 2 - 2016/17, Report Reference: RSC070217R8.1', the minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
67	277	LGA Insurance Schemes Review Report Reference: FAC280217R7.1	90(3)(d)	Commercial information of a confidential nature – public interest	Report relates to City of Marion's Insurance arrangements. Retain until market testing has concluded in 2023. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Local Government Association Insurance Schemes Review FAC280217R7.1) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
68	278	LGA Membership Report Reference: FAC280217R7.2	90(3)(b) and (h)	Commercial information – public interest Legal Advice	Report relates to the City of Marion's membership with the LGA. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report and Appendix 1 (LGA Membership FAC280217R7.2) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) and contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
69	281	External Audit Tender Report Reference: FAC280217R7.5	90(3)(d)	Commercial information of a confidential nature – public interest	Report contains commercial information relating to the External Audit Contract. Third parties to be consulted in 2022. It is recommended to delegate to CEO to release following consultation.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report External Audit Tender, FAC280217R7.5 and Appendix 1 to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the on the grounds that the report contains commercial information of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
70	282	Signatures Café Reference No: GC280217F01	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC280217F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
71	284	Finance and Audit Committee Confidential Minutes Reference No: GC140317F01	90(3)(b), (d) and (h)	Commercial information – public interest Legal Advice	Report and minutes previously released. Appendix to the report contains commercial information relating to the External Audit Contract, LGA Membership and Insurance Schemes Review. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Finance and Audit Committee Confidential Minutes, GC140317F01'be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (d) and (h) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting given the information relates to personal affairs, commercial information of a confidential nature and legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
72	285	Local Government Association Membership Reference No: GC140317F02	90(3)(b) and (h)	Commercial information – public interest Legal Advice	Report relates to the City of Marion's membership with the LGA. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Local Government Association Membership, GC140317F02) to this report, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) and contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
73	286	Local Government Association Insurance Schemes Review Reference No: GC140317F03	90(3)(b) and (d)	Commercial information – obligation to maintain confidentiality – public interest	Report relates to City of Marion's Insurance arrangements. Review in December 2021 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report and Appendix 1 (Local Government Association Insurance Schemes Review GC140317F03) to this report, having been considered in confidence under s 90(2) and (3)(b) and (d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information that could confer a commercial advantage to a third party and prejudice the commercial position of the Council, and the release would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
74	287	External Audit Tender Reference No: GC140317F04	90(3)(d)	Commercial information of a confidential nature – public interest	Report contains commercial information relating to the External Audit Contract.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report External Audit Tender, GC140317F04 and Appendix 1 to this report, having been considered in confidence under s 90(2) and (3)(d) of the Act, be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order was made on the on the grounds that the report contains commercial information of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage to a third party, and that on balance disclosure would be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
75	290	Signatures Café Report Reference: GC110417F01	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC110417F01 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
76	294	CEO Key Performance Indicators for Quarter 3 2016/17 Report Reference: RSC020517R8.1	90(3) (a)	Personal affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Retain until the CEO ceases gainful employment. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key Performance Indicators for Quarter 3 - 2016/17, RSC020517R8.1 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidential order be reviewed at the General Council Meeting to be held in December 2022.
77	295	Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held 2 May 2017 Report Reference: GC090517F01	90(3) (a)	Personal affairs	The report and minutes have been released. Appendix contains the confidential minutes from the review and Selection Committee meeting relating to performance of the CEO. Retain until the CEO ceases gainful employment. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendix to the report Confirmation of Confidential Minutes of the Review and Selection Committee held 2 May 2017, GC090517F01 be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive 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 will be reviewed at the General Council Meeting to be held in December 2022.
78	296	CEO Key Performance Indicators for Quarter 3 2016/17 Report Reference: GC090517F02	90(3) (a)	Personal affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Retain until the CEO ceases gainful employment. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Key Performance Indicators for Quarter 3 2016/17, GC090517F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
79	300	Commercial proposal for a recreational facility development Report Reference: GC080817F01	90(3)(d)	Commercial information of a confidential nature – public interest	Contains commercial information in regards to a proposed recreational facility development. The information remains commercial in confidence. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report Commercial Proposal for a Recreational Facility Development, GC080817F01, Appendix 1 to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
80	301	Edwardstown Oval Redevelopment – Financial and Management Model Report Reference: GC080817F02	90(3)(b) and (d)	Commercial information – obligation to maintain confidentiality – public interest	It is recommended that the report, attachments and minutes be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke with financial figures redacted, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Edwardstown Oval Redevelopment - Financial and Management Model, GC080817F02, appendices and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
81	307	Section 48 Prudential Report – BMX FAC101017R8.14	90 (3)(b) (i) (ii)	Confer a commercial advantage. Contrary to the public interest.	Project is still being delivered by contracted party. Retain until project complete. It is recommended to delegate to CEO to release on completion of the project following consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Section 48 Prudential Report - BMX, FAC101017R8.14, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
82	308	73 Cove Road Marino FAC101017R8.15	90 3(a) (3) (h) (i)	Personal Affairs. Litigation	Report relates to the development at 73 Cove Road Marino. Matter on-going. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, 73 Cove Road Marino, FAC101017R8.15, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (i) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could involve the unreasonable disclosure of information concerning the person affairs of any person (living or dead); and information relating to actual litigation, or litigation that is believed on reasonable grounds will take place, involving the Council or an employee of the Council. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
83	311	Signatures Café Lease Report Reference: GC101017F03	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC101017F03 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
84	312	Confirmation of Confidential Minutes of the Finance and Audit Committee Meeting held 10 October 2017 Report Reference: GC241017F01	90(3) (a), (b) and (h)	Personal affairs, Commercial information – public interest and Legal advice	Appendix contains confidential minutes relating to the Section 48 Prudential Report – BMX and 73 Cove Road Marino. Information remains of commercial value. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the report, 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting Held 10 October 2017, GC241017F01' be kept confidential having been considered in confidence under Section 90(2) and (3)(a), (b), (h) and (i) of the Act be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
85	313	Signatures Café Update Report Reference: GC241017F02	90(3)(d)	Commercial information of a confidential nature – public interest	It is recommended that the report, attachments and minutes be retained in confidence as they contain information relating to lease negotiations for the facility that would confer a commercial advantage on a third party. It is recommended to delegate to the CEO to release in 2022 following current EOI process and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Signatures Cafe, GC241017F02 the minutes arising from this report and any other information distributed at the meeting having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
86	316	CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference: RSC071117F01 Report Reference: RSC071117F01	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders .	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2016/17 and Employment Agreement, RSC071117F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2021.
87	317	CEO KPI's Annual Confidential Report 2016/17 Report Reference: RSC071117F02	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Annual Confidential Report 2016/17, RSC071117F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
88	318	CEO KPI Report Quarter one 2017/18 Report Reference: RSC071117F03	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Report Quarter One 2017/18, RSC071117F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
89	319	CEO & Corporate KPI's 2017/18 Qtr. 1 Report Reference: SGC271117F01	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO & Corporate KPI's 2017/18 Quarter 1, SGC271117F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
90	321	Confirmation of the confidential minutes of the Review and Selection Committee Meeting held 7 November 2017 Report Reference: GC281117F01	90 (3) (a)	Personal Affairs	Appendix relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendix to the report ' Confirmation of Confidential Minutes of the Review and Selection Committee held 7 November 2017, GC281117F01' be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive 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 will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
91	322	CEO Annual Performance Review 2016/17 and Employment Agreement Report Reference: GC281117F02	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2016/17 and Employment Agreement, GC281117F02 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidential order be reviewed at the December 2022 meeting of Council.
92	323	CEO KPI's Annual Confidential Report 16/17 Report Reference: GC281117F03	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO KPI's Annual Confidential Report 16/17, GC281117F03 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
93	330	Interim Management for Edwardstown Soldiers Memorial Recreation Grounds Report Reference: GC121217F01	90 (3) (b) (h)	Legal Advice, Commercial Information and contrary to public interest.	It is recommended that the report, attachments and minutes be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke with financial figures redacted, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that this report, Interim Management for Edwardstown Soldiers Memorial Recreation Grounds, GC121217F01, and minutes relating to this report, having been considered in confidence under Section 90(2) and (3)(b) and (h) of the Act be kept confidential and not available for public inspection on the upon the basis that the matter relates to legal advice and commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
94	332	BMX Project – Update Report Reference No: FAC121217F02	90 (3)(b)(i)(ii)	Confer a Commercial Advantage.	Project is still being delivered by contracted party. Retain until project complete. It is recommended to delegate to CEO to release on completion of the project following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, FAC121217F02, and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
95	334	BMX Project – Update Report Report Reference: GC300118F02	90(3)(b)	Confer Commercial Advantage.	Project is still being delivered by contracted party. Retain until project complete. It is recommended to delegate to CEO to release on completion of the project following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, GC300118F02, and Appendices 1 and 2 of report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
96	335	Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03 Report Reference: GC300118F03	(3) (g) (h)	Duty to keep confidential and legal advice.	Report contains information into an investigation regarding a Council community facility. Council has a duty to keep confidential therefore recommended to remain in confidence to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Appendix 1 of the report, 'Review of Confidentiality Orders: Investigation, GC250815F05 and Investigation, GC080915F03', GC300118F03 having been considered in confidence under Section 90(2) and (3)(g) and (h) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting or until Council's duty of confidence is no longer in force. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
97	336	Selection of candidates for interview/appointment for the Finance and Audit Committee Report Reference: RSC300118F01	90 (3) (a)	Personal Affairs	Attachment contains personal details of candidates. To be reviewed December 2022.	No	That: 2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments and minutes arising from this report, 'Selection of Candidates for Interview / Appointment for the Finance and Audit Committee, Report Reference: RSC300118F01', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
98	337	Insurance Market Testing Report Reference: FAC270218F01	90 (3) (d)	Commercial Information. Contrary to public interest.	Report relates to City of Marion's Insurance arrangements.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Insurance Market Testing, FAC270218F01) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) and (d) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
99	343	Kaurna Native Title Claim Report Reference: GC130318F01	90 (3) (h)	Legal Advice	The report, minutes and attachment 1 have been released. It is recommended that attachment 2 remains confidential as it contains legal advice releating to the Kaurna Native Title Claim. Review in 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that Appendix 2 to the report, Kaurna Native Title Claim, G30318F01, having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
100	344	Finance and Audit Committee Confidential Minutes Report Reference: GC130318F02	90 (3) (d) (g)	Commercial Information. Legal Obligations	The Appendix contains the confidential minutes from the Finance and Audit Committee where the Insurance Marketing testing item was considered. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the Appendix to this report (Finance and Audit Committee Confidential Minutes, GC130318F02) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest and to ensure that the council does not breach any law, order or direction or a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty (Section 90(3)(d) and (g) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
101	345	Insurance Market Testing Report Reference: GC130318F03	90 (3) (b) (d)	Commercial Information. Contrary to public interest	Report relates to City of Marion's Insurance arrangements. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Appendix to this report and minutes (Insurance Market Testing, GC130318F03) be kept confidential and not made available for public inspection for a period of 12 months from the date of this meeting. This order is made on the basis that the report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council and would, on balance, be contrary to the public interest (Section 90(3)(b) and (d) of the Local Government Act 1999). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
102	347	BMX Project – Progress Report Report Reference: ISC060318F01	90 (3) (d)	Commercial Information. Contrary to public interest	Project is still being delivered by contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project - Update Report, GC300118F02, and Appendices 1 and 2 of report, having been considered in confidence under Section 90(2) and (3)(b) of the Act be kept confidential and not available for public inspection on the upon the basis that disclosure of the information could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
103	347a	Confirmation of Confidential Minutes of the Infrastructure and Strategy Committee Meeting held 6 March 2018 Report Reference: GC270318F01	90 (3) (d)	Commercial Information. Contrary to public interest	Project is still being delivered by contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 6 March 2018, GC270318F01, and appendix arising from the report, having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
104	352	BMX Project Report Reference: ISC010518F01	90 (3) (b) (d)	Commercial Information. Contrary to public interest	Project is still being delivered by contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX Project, ISC010518F01, appendices and minutes arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
105	357	Confirmation of the Confidential Minutes for the Infrastructure and Strategy Committee Meeting held on 3 July 2018 Report Reference: GC180724F01	90 (3) (b) (d)	Commercial Information. Contrary to public interest	Appendix contains the confidential minutes of the Infrastructure and Strategy Committee containing commercial information relating to the BMX Project. The information is still commercial in confidence. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential Minutes of the Infrastructure and Strategy Committee meeting held 3 July 2018, GC180724F01, and appendix arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
106	359	CONFIDENTIAL - Tonsley Water Agreement Report Reference: GC180724F03	90 (3) (d)	Commercial Information contrary to public interest	Report contains commercial information relating to the Tonsley Water Agreement which remains current.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Confidential - Tonsley Water Agreement, GC180724F03, and minutes having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
107	360	BMX - Progress Report on Darlington Site Option Report Reference: ISC180703F01	90 (3) (b) (d)	Commercial Information contrary to public interest	Report contains commercial information relating to the BMX Project. Council has a duty of confidence to keep the information confidential. Project is still being delivered by contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, BMX - Progress Report on Darlington Site Option, ISC180703F01, appendices and minutes arising from the report, having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made.
108	361	Expressions of Interest – 262 Sturt Road – Progress Report and Next Stage Report Reference: GC180828F01	90 (3) (b) (d)	Commercial Information contrary to public interest	Contains commercial information relating to expressions of interest for 262 Sturt Road. Information is still commercial in confidence. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Expression of Interest - 262 Sturt Road - Progress Report and Next Stage, GC180828F01, and Appendices to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
109	363	Proposed Class Action Report Reference: GC180814F03	90 (3) (d)	Commercial Information contrary to public interest	Relates to a letter received relating to an offer to register with a class action. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180814F03, and appendices having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
110	364a.	CEO Annual Performance Review 2017/18 Report Reference: RSC180828F01	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2017/18, RSC180828F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
111	366	Proposed Class Action Report Reference: GC180911F01	90 (3) (d)	Commercial Information contrary to public interest	Relates to a letter received relating to an offer to register with a class action. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Proposed Class Action, GC180911F01, and appendices having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
112	367	Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park Report Reference: GC180911F02	90 (3) (b) (d)	Commercial Information contrary to public interest	Contains commercial information relating to a proposed commercial facility development at 287 Diagonal Road, Oaklands Park. Information is still commercial in confidence. Review in December 2021 as part of Annual Review of Confidential Orders. Minutes have been released	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, Council orders that this report Outcome of Expression of Interest for Hotel at 287 Diagonal Road, Oaklands Park, GC180911F02, and Appendices to this report having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the basis that it relates to proposed commercial arrangements which could reasonably be expected to prejudice the commercial position of the person who supplies the information, or to confer a commercial advantage to a third party, and the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
113	368	Expression of Interest - Community Wireless Internet Services Report Reference: GC180911F03	90 (3) (b) (d)	Commercial Information contrary to public interest	Minutes previously released. Report contains the outcome of the Expression of Interest (EOI) for the undertaking of Wireless Community Internet Services, including scoring of EOI respondents. As the matter is still to be finalised (the contract is yet to be awarded or the project closed out) it is recommended that the item remain in confidence to be reviewed in 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, Expression of Interest - Community Wireless Internet Services, GC180911F03 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022
114	369	Coastal Walkway - Confidential Appendix Reference: GC180911F04	90 (3) (h)	Legal advice	Minutes have previously been released. Project is stil being planned and developed. Retain to be reviewed December 2022.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Coastal Walkway - Confidential Appendix, GC180911F04, and appendices having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
115	370	Review and Selection Committee Confidential Minutes from the Meeting 28 August 2018 Report Reference: GC180911F05	90 (3) (a)	Personal Affairs	Report and Minutes have been released. Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders	No	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 'Review and Selection Committee Confidential Minutes from the meeting 28 August 2018, GC180911F05' 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 will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
116	371	CEO Annual Performance Review 2017/18 Report Reference: GC180911F06	90 (3) (a)	Personal Affairs	Releates to the performance of the CEO. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2017/18, Report Reference: GC180911F06 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
117	374	Code of Conduct Complaint Report Reference: GC181127F01	90 (3) (a)	Personal Affairs	Relates to a Code of Conduct complaint. Retain as complaint not upheld. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Code of Conduct Complaint, GC181127F01, appendices and minutes arising from this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) (Section 90(3)(a) of the Local Government Act 1999); This order is to remain in force for the current term of Council. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
118	377	Cove Sports and Community Club Licence Report Reference SGC190122F01	90 (3) (a) (h) (e)	Personal Affairs Legal Advice Security of Council / Safety	Minutes previously released. Report relates to the termination of the lease and should remain confidential. To be reviewed in 2022, and consultation to occur with clubs regarding release if appropriate.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports and Community Club Licence, Report Reference: SGC190122F01' and attachements to this report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to breach a duty of confidence and the report contains legal advice and information of a commercial nature and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
119	379	BMX Project – Outcome of Darlington Investigations Report Reference: GC190129F02	90 (3) (g) (h)	Duty of Confidence Legal Advice	Aboriginal Heritage Act requires this information be kept confidential. The minutes have previously been released.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Outcome of Darlington Investigations, GC190129F02' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which would breach a duty of confidence under the Aboriginal Heritage Act 1988 (Section (90(3)(g)) and the report contains legal advice (Section 90(3)(h)) and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidential order be reviewed at the December 2022 meeting of Council.
120	380	BMX Project – Financial Summary of Costs Report Reference: GC190129F03	90 (3) (b)	Commercial Information - Public Interest	It is recommended the report and attachments be retained in confidence as the project is still being delivered by the contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works following consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'BMX Project – Financial Summary of Costs, GC190129F03' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999 This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
121	385	Marion Golf Club Report Reference: ISC190305F01	90 (3) (b)	Commercial Information - Public Interest	Report relates to renewal works at the Marion Golf Club. The matter is not yet finalised. Review in December 2022 as part of Annual Review	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Golf Club, ISC190305F01' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
122	388	Outcome of Business Case – 262 Sturt Road, Marion Report Reference: GC190312F03	90 (3) (b)	Commercial Information - Public Interest	Executive Summary of the Report (except for the last paragraph which remains confidential) has been released. Opportunties are still being discussed at Council. It is recommended that the report and attachments be retained.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendices and the report except for the Executive Summary of the report (except for the last paragraph, which is to remain confidential) to the item "Outcome of the Business Case - 262 Sturt Road, Marion" GC120319 be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council (Section 90(3)(b)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
123	390	Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019 Report Reference: GC190326F01	90 (3) (b)	Commercial Information - Public Interest	Attachment relates to renewal works at the Marion Golf Club. The matter is not yet finalised. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the attachment to the report, 'Confirmation of the confidential minutes of the Information and Strategy Committee meeting held on 5 March 2019, GC190326F01' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
124	391	Cove Sports Settlement of licence Report Reference: GC190326F02	90 (3) (d)	Commercial Information - Public Interest	Minutes previously released. Report relates to the termination of the lease and should remain confidential. To be reviewed in 2022, and consultation to occur with clubs regarding release if appropriate.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports Settlement of Licence, Report Reference: GC190326F02' and attachments to this report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to breach a duty of confidence and the report contains legal advice and information of a commercial nature and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
125	392	Coastal Walkway Progress Report – Confidential Appendix Report Reference: GC190326F03	90 (3) (h)	Legal Advice	Project is still being delivered by contracted party	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Coastal Walkway Progress Report – Confidential Appendix, GC190326F03' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
126	394	Progress Report on the Southern Football Facility, Major Road Report Reference: GC 190423F01	90 (3) (d)	Commercial Information - Public Interest	Report is an update on the progress of the Southern Football (soccer) Facility to be delivered at Majors Road. Information is still commercial in confidence. Report and Appendix remain confidential. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Progress Report on the Southern Football Facility, Major Road, GC190423F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected toto prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
127	405	Internal Audit Tender Outcomes Report Reference: GC190611F05	90 (3) (k) & (d)	Tender Commercial information - public interest	Report and Appendices to remain confidential as it contains commercial information including financial figures. Minutes have been released. Review in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Internal Audit Tender Outcomes, GC190611F05' and appendices, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)) and information that relates to a tender for the provision of services (Section 90(3)(k)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
128	407	Potential Land Acquisition Report Reference: GC190611F07	90 (3) (b)	Commercial Information - Public Interest	Remain confidential as it identifies future strategies and potential land acquisition. Review in December 2022 as part of Annual Review	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Potential Land Acquisition, GC190611F07' and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and would, on balance, be contrary to the public interest (Section 90(3)(b) of the Local Government Act 1999) This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
129	413	Service Review – Corporate Information and Communication Technology – Report Report Reference: FAC190820F01	90 (3) (a) and (d)	Personal Affairs Commercial Affairs - Public Interest	Retain confidential order. Contains information relating to ICT Service review with personal information. Review again in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' Service Review – Corporate Information and Communication Technology – Report, FAC190820F01' appendices and minutes, be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would, on balance, be contrary to the public interest (Section 90(3)(d)) and information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of various persons (Section 90(3)(a)) . This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
130	417	Council Solutions Kerbside Waste Tender Outcomes Report Reference: GC190813F03	90 (3) (b) and (d)	Commercial Information - Public Interest	Report contains commercially sensitive information regarding the waste tender and contract. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Council Solutions Kerbside Waste Tender Outcomes, GC190813F03, appendices and minutes having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
131	419	Cat Curfew By-law Update Report Reference: GC190827F01	90 (3) (h)	Legal Affairs	Matter still ongoing. The minutes have been released. Contains legal advice regarding the Cat (Confinement) Variation By-law 2019. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC190827F01' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
132	421	Cove Sports and Community Committee Investigation Report Reference: SGC190902F02	90 (3) (f)	Maintenance of Law	Report details the outcomes of the investigation undertaken into the allegations of inappropriate behaviour occurring at Cove Sports and Community Centre (CSCC). Remain confidential and review in 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, ' Cove Sports and Community Committee Investigation, SGC190902F02' together with all annexure and the minutes arising from the report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
133	422	Cove Sports & Community Club Management Report Reference: SGC190902F03	90 (3) (f)	Maintenance of Law	Report relates to management of the facility. To be reviewed in 2022 and consultation to occur with clubs regarding release if appropriate.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cove Sports & Community Club Management, Report Reference: SGC190902F03' attachments and minutes to this report be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to breach a duty of confidence and the report contains legal advice and information of a commercial nature and would on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
134	425	Cove Investigation – Response to Findings of Fact Report Reference GC190924F02	90 (3) (a)	Personal Affairs	Report and Minutes have been released. Appendix contains the response from Cove Cobras Football Club (CCFC) to respond to Council in relation to the tentative findings of fact from the independent investigation. Details contained in the item were included in the Section 270 report. A redacted version of the Section 270 report was released at the 26 November 2019 General Council Meeting. Remain confidential to be reviewed December 2022.	No	That: In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix 1 to the report, 'Cove Investigation – Response to Findings of Fact, GC190924F02' be kept confidential and not available for public inspection on the basis that the report contains information relating to personal affairs (Section 90(3)(a)), This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
135	432	CEO Annual Performance Review 2018/19 Report Reference: RSC191105F01	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. Review in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2018/19, RSC191105F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90(2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
136	433	Outcome of Capella Investigations and Director for Southern Soccer Report Reference: SGC191125F01	90 (3) (b) and (d)	Commercial Information - Public Interest	Report provides a detailed updated on the Southern Soccer project. As the project is not completed and the confidential information remains current, retain the Report and Appendices in Confidence. The minutes were released. Review in December 2022 as part of annual review of confidential orders.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Outcome of Capella Investigations and Director for Southern Soccer, SGC191125F01 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
137	434	Future Land Strategy: City Services Surplus Land Report Reference: SGC191125F02	90 (3) (b) and (d)	Commercial Information - Public Interest	The report relates to the City Services Surplus Land. It is recommended that the report and appendices to remain confidential until the future of the site has been finalised. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report, Future Land Strategy: City Services Surplus Land, SGC191125F02 and appendices having been considered in confidence under Section 90(2) and (3)(b) and (d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to commercial information of a confidential nature, the release would, on balance, be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
138	435	Cat Curfew By-Law Update Report Reference: SGC191125F03	90 (3) (h)	Legal Advice	Matter still ongoing. The minutes have been released. The report and appendix contain legal advice regarding the Cat (Confinement) Variation By-law 2019. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cat Curfew By-law Update, GC191125F03' together with all annexure be kept confidential and not available for public inspection on the basis that the report contains legal advice (Section 90(3)(h)). This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
139	436	Section 270 Report Cove Football Club Report Reference: SGC191125F04	90 (3) (f)	Maintenance of Law	The report provides the Section 270 Internal Review of Decision relating to the termination of the licence for the Cove Football Club, Only unredacted version of Appendix 1 remains confidential.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the un-redacted version of Appendix 1 of the report, 'Section 270 Report Cove Football Club, SGC191125F04' be kept confidential and not available for public inspection on the basis that the report contains information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
140	437	Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019 Report Reference: GC191126F01	90 (3) (a)	Personal Affairs	Appendix relates to the minutes regarding the conduct of the annual CEO Performance and Remuneration Review. The minutes were not retained. The report does not need to remain confidential however the Appendix does need to remain confidential. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendix to the report 'Confirmation of Confidential Minutes of the Review and Selection Committee Meeting held on 5 November 2019, GC191126F01' 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 will be reviewed at the General Council Meeting to be held in December 2022.
141	438	CEO Annual Performance Review 2018/19 Report Reference: GC191126F01	90 (3) (a)	Personal Affairs	Report relates to the conduct of the annual CEO Performance and Remuneration Review. . Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report CEO Annual Performance Review 2018/19, GC191126F01 minutes arising from this report and any Appendix to this report be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person being the Chief Executive Office of the Council (Section 90 (2) and (3)(a) of the Local Government Act 1999). This order is to remain in force until such time as the Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
142	440	Southern Region Waste Resource Authority (SRWRA) Materials Recovery Facility (MRF) Report Reference: FAC191210F01	90 (3) (d)	Commercial Information - Public Interest	Relates to commercial information that is still current and relevant. It is recommended this item retained in confidence to be reviewed in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Southern Region Waste Resource Authority (SRWRA) Materials Recovery Facility (MRF), Report Reference: FAC191210F01', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
143	441	SWBMX Facility - Traffic Solutions on Majors Road Report Reference: GC191210F01	90 (3) (b)	Commercial Information - Public Interest	Project is still being delivered by contracted party. It is recommended to delegate to CEO to revoke the order upon completion of works and consultation with Minister.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report and attachments, having been considered in confidence under Section 90(2) and (3)(b and d) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to matters pertaining to commercial operations of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council and would on balance be contrary to public interest. This order is to remain in force until such time as it is reviewed, to which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
144	442	Electric Vehicle Charging Stations Report Reference: GC191210F02	90 (3) (b)	Commercial Information - Public Interest	The minutes have been released. The report and appendix contain commercial information relating to the results of the Request for Proposal (RFP) undertaken to identify a preferred provider for the provision of Electric Vehicle charging stations.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Electric Vehicle Charging Stations Report Reference: GC191210F02'and attachments having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council. This order is to remain in force until such time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
145	443	SRWRA Materials Recovery Facility (MRF) Report Reference: GC191210F03	90 (3) (d)	Commercial Information - Public Interest	The minutes have been released. The report and attachments contain commercial information regarding the MRF that is still relevant. It is recommended this be retained to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'SRWRA Materials Recovery Facility (MRF), Report Reference: GC191210F03', any appendicies to this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures. This 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 to be held in December 2022.
146	444	Edwardstown Soldiers Memorial Community Club Report Reference: GC191210F04	90 (3) (d)	Commercial Information - Public Interest	It is recommended that the report, attachments and minutes be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke with financial figures redacted, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Soldiers Memorial Community Club Report Reference: GC191210F04' attachments and minutes having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
147	447	Edwardstown Memorial Sports and Community Club Report Reference: GC200211F02	90 (3) (b) and (d)	Commercial Information - Public Interest	The minutes have been released. It is recommended that the report and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke with financial figures redacted, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report 'Edwardstown Memorial Sports and Community Club, Report Reference: GC200211F02' and attachments, having been considered in confidence under Section 90 (2) and (3)(b)(i) and (ii) and (3)(d) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
148	449	Disclosure Incident Report Reference: FAC200225F01	90 (3) (h)	Legal Advice	Report relates to a disclosure incident in which legal advice was obtained. Council have a duty of confidence to retain this confidentiality.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, the Committee orders that the report 'Disclosure Incident Report Reference: FAC200225F01', the Appendix, 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 except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information contains legal advice relating to the incident. The 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
149	450	Confirmation of Confidential Minutes of the Finance and Audit Committee held on 25 February 2020 Report Reference: GC200310F01	90 (3) (h)	Legal Advice	Minutes are Public. Report relates to a disclosure incident in which legal advice was obtained. Council have a duty of confidence to retain this confidentiality.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report Confirmation of Confidential Minutes of the Finance and Audit Committee held on 25 February 2020 Report Reference: GC200310F01and attachment to 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 except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to legal advice relating to a 'disclosure incident'. The 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 to be held in December 2022.
150	452	Adjourned Item - Edwardstown Memorial Sports and Community Club Report Reference: SGC200320F02	90 (3) (b) and (d)	Commercial Information - Public Interest	The minutes have been released. It is recommended that the report and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke with financial figures redacted, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Adjourned Item - Edwardstown Memorial Sports and Community Club Report Reference: SGC200320F02' and attachments, having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) and (3)(d) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to commercial information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and would on balance be contrary to the public interest. The order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
151	453	Confidential - Mitchell Park Sports and Community Centre Redevelopment Report Reference: SGC200320F02	90 (3) (b) and (d)	Commercial Information - Public Interest	Appendix remains confidential as it contains information that is commercial in confidence. The Project is under construction, keep confidential until project and defects liability is complete.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to the report, 'Confidential - Mitchell Park Sports and Community Centre Redevelopment Report Reference: SGC200320F02' and the financial figures in the report and minutes, having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to commercial information the disclosure of which could prejudice the commercial position of Council and/or the person who supplied the information and would on balance be contrary to the public interest. The order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
152	462	Confidential - Rescission Motion - Disclosure Incident Report Reference: GC200512M01	90 (3) (h) and (g)	Duty of Confidence Legal Advice	Report relates to a disclosure incident in which legal advice was obtained. Council have a duty of confidence to retain this confidentiality. Review in December 2021 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, Council orders that the report, 'Confidential - Rescission Motion - Disclosure Incident Report Reference: GC200512M01' the attachments to this report and any minutes arising from the report, having been considered in confidence under Section 90 (2) and (3)(g) and (h) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to legal advice and Council of a Duty of Confidence to keep this information confidential. This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
153	463	Confidential - Rescission Motion - Disclosure Incident Report Reference: GC200526M02	90 (3) (h) and (g)	Duty of Confidence Legal Advice	Report relates to a disclosure incident in which legal advice was obtained. Council have a duty of confidence to retain this confidentiality. Review in December 2021 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 (the Act), Council orders that the report, 'Confidential - Rescission Motion - Disclosure Incident Report Reference: GC200526M02' the attachments to this report and the minutes, having been considered in confidence under Section 90 (2) and (3)(g) and (h) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter upon the basis the information relates to legal advice and Council has a duty of confidence to retain the information confidentially. This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
154	464	Disclosure Incident Report Reference: GC200526F01	90 (3) (h)	Legal Advice	Report relates to a disclosure incident in which legal advice was obtained. Council have a duty of confidence to retain this confidentiality. Review in December 2021 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report 'Disclosure Incident Report Reference: GC200526F01' and the minutes having been considered in confidence under Section 90 (2) and (3)(h) of the Act, be kept confidential and not available for public inspection, except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to legal advice and . This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
155	465	Holmes Dyer Report (part of ISC200602R03)	90 (3) (b)	Commercial Information - Public Interest	Confidentiality of commercial investigations.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Revitalisation of the Edwardstown Employment Precinct GC200728F05) and the Holmes Dyer Report presented to Council on the 9 June 2020 (GC200609R08) and the Infrastructure and Strategy Committee on 2 June 2020 (ISC200602R03), having been considered in confidence under Section90(2) and (3)(b)(i) and (ii) and (d)(i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information is pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party. This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
156	466	Cats (Confinement) Variation By-law Legislative Review Committee Report Reference: GC200609F01	90 (3) (h)	Legal Advice	Matter still ongoing. The minutes have been released. The report and attachment contain legal advice relating to the Cat By-law approach still under consideration. Review in December 2021 as part of annual review of confidential orders.	No	That Council: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Cats (Confinement) Variation By-law Legislative Review Committee Report Reference: GC200609F01' and any associated appendices 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 except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to legal advice. This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
157	467	City Wide Attraction - Glenthorne National Park Report Reference: GC200609F02	90 (3) (d)	Commercial Information - Public Interest	The project has not commenced and contains commercial information that is still relevant. It is recommended the Report and Appendix remain confidential until the Minister authorises release. To be reviewed in December 2022	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999the Council orders that the report, City Wide Attraction - Glenthorne National Park Report Reference: GC200609F02, and any associated appendices arising from this report having been considered in confidence under Section90(2) and (3)(d) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter until permission is granted by the Minister for Environment and Water to release. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
158	468	Holmes Dyer Report (part of GC200609R08)	90 (3) (b)	Commercial Information - Public Interest	Confidentiality of commercial investigations.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report Revitalisation of the Edwardstown Employment Precinct GC200728F05) and the Holmes Dyer Report presented to Council on the 9 June 2020 (GC200609R08) and the Infrastructure and Strategy Committee on 2 June 2020 (ISC200602R03), having been considered in confidence under Section90(2) and (3)(b)(i) and (ii) and (d)(i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information is pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party. This order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
159	469	Mitchell Park Sports and Community Centre Redevelopment GC200623F01	90 (3) (b)	Commercial Information - Public Interest	Project is still being delivered by contracted party. Retain until project complete, to be reviewed December 2022.	No	That: 1. In accordance with Section 91 (7) and (9) of the Local Government Act 1999, orders that the report, 'Mitchell Park Sports and Community Centre Redevelopment GC200623F01' the attachments and minutes arising from this report, having been considered in confidence under Section 90(2) 3(b) (i) and (ii) of the Act, be kept confidential and not available for public inspection on the basis the information relates to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council. This confidentiality order is to remain in force until such a time as it is reviewed, at which time a further confidentiality order may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
160	471	Revitalisation of the Edwardstown Employment Precinct Report Reference: UPC200714F01	90 (3) (b) and (d)	Commercial Information - Public Interest	The information contained in the documents is still commercial in confidence and relates to the revitalisation of the Edwardstown Employment Precinct. Review in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Revitalisation of the Edwardstown Employment Precinct Report Reference: UPC200714F01' Revitalisation of the Edwardstown Employment Precinct, the minutes and any associated appendices arising from this report having been considered in confidence under Section 90(2) and (3) (b) and (d) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party. This confidentiality order is to remain in force until such time as it is reviewed, at which time a further confidentiality order will be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
161	472	Confirmation of Confidential Minutes of the Urban Planning Committee meeting held on 14 July 2020 Report Reference: GC200728F01	90 (3) (b) and (d)	Commercial Information - Public Interest	Report and Minutes have been released. Appendix contains the confidential minutes from the Urban Planning Committee which includes information that is still considered commercial in confidence. Review in 2022 as part of Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the appendix to the report 'Confirmation of Confidential Minutes of the Urban Planning Committee meeting held on 14 July 2020 Report Reference: GC200728F01' having been considered in confidence under Section 90(2) and (3) (b) and (d) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party. This confidentiality order is to remain in force until such time as it is reviewed, at which time a further confidentiality order will be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
162	473	Cove Cobras Football Club Tenancy Report Reference: GC200728F02	90 (3) (a), (b), (d) and (g)	Personal Affairs Commercial Information - Public Interest Duty of Confidence	Minutes have been Released. Report and Appendix contain confidential information pertaining to agreements with Cove Cobras Football Club. Recommended to retain in confidence. To be reviewed in 2022 and consultation with clubs regarding release if appropriate.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Cove Cobras Football Club Tenancy, Report Reference: GC200728F02', and any appendicies, having been considered in confidence under Section 90(2) and (3)(a), (b)(i) and (ii), (d)(i) and (ii) and (g) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs and information pertaining to agreements between the City of Marion and Cove Cobras Football Club. This 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 to be held in December 2022.
163	476	Revitalisation of the Edwardstown Employment Precinct Report Reference: GC200728F05	90 (3) (b) and (d)	Commercial Information - Public Interest	The information contained in the documents is still commercial in confidence and relates to the revitalisation of the Edwardstown Employment Precinct. Review in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Revitalisation of the Edwardstown Employment Precinct Report Reference: GC200728F05', the associated appendices and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) and (d)(i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party. This confidentiality order is to remain in place until such time as it is reviewed as which time a further confidentiality order may be made. 2. The confidentiality order will be reviewed at the General Council Meeting in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
164	477	Marion Sports and Community Club - Landlord Consent - Adjourned Item Report Reference: SGC200729F01	90 (3) (d)	Commercial Information - Public Interest	Report contains commercial information relating to the lessee. Recommend to retain confidentiality to be reviewed in December 2022 as part of Annual Review of Confidential Orders.	No	That: 1.In accordance with Section 91(7) and (9) of the Local Government Act 1999the Council orders that this report, ' Marion Sports and Community Club - Landlord Consent - Adjourned Item Report Reference: SGC200729F01', the associated appendices and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
165	481	Edwardstown Creative Industries Co-working Hub Tender repot - Adjourned Item Report Reference: GC200811F01	90 (3) (k)	Tender	Report contains information relating to the tender outcomes of the Edwardstown Creative Industries Co-working Hub which remains commercial in confidence. Review in 2022 as par of Annual review of confidential orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Edwardstown Creative Industries Co-working Hub Tender repot - Adjourned Item Report Reference: GC200811F01', the associated appendices and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(k) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to tenders for the supply of goods, the provision of services or the carrying out of works. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
166	484	FAC Independent Member Report Reference: RSC200915F01	90 (3) (a)	Personal Affairs	Attachment to be retained as it contains details of all candidates. Report and minutes previously released.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the Appendix to the reports' Independent Member Report Reference: RSC200915F01', having been considered in confidence under Section 90(2) and (3)(a) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis information relates to the personal affairs of the candidates. This order is to remain in force until such a 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 to be held in in December 2022.
167	486	SWBMX and Southern Soccer Facilities - Approval to Call Tenders for Construction Report Reference: GC201013F01	90 (3) (b)	Commercial Information - Public Interest	The minutes have been released. The report and appendix contain commercial information that is relevant and still considered confidential. It is recommended to delegate to the CEO to release following completion of the project and consultation with third parties.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report 'SWBMX and Southern Soccer Facilities - Approval to Call Tenders for Construction Report Reference: GC201013F01' and appendices, having been considered in confidence under Section 90(2)3 (b)(i) and (ii) of the Act be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information is pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council. This order is to remain in force until such a time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
168	488a	CEO Annual Performance Review 2019-20 Report Reference: RSC201103F01	90 (3) (a)	Personal Affairs	Report contains information relating to the personal affairs of the former CEO. To be retained until such time as the former CEO retires from gainful employment. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'CEO Annual Performance Review 2019-20, Report Reference: RSC201103F01', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the personal affairs of the former Chief Executive Officer. This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
169	489	Alternative Water Supply Efficiency Measures Pilot Project: Seacliff Park Extension Report Reference: GC201124F01	90 (3) (b)	Commercial Information - Public Interest	Report contains commercially confidential information relating to the Seacliff Park Extension of the Alternative Water Supply Efficiency Measures Pilot Project.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report, 'Alternative Water Supply Efficiency Measures Pilot Project: Seacliff Park Extension Report Reference: GC201124F01' the attachments and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information is relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or prejudice the commercial position of the council. This order is to remain in force until such a 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 to be held in December 2022.
170	492	Edwardstown Soldiers Memorial Ground Funding Agreements Report Reference: GC201124F04	90 (3) (b)	Commercial Information - Public Interest	It is recommended that the report, minutes and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Soldiers Memorial Ground Funding Agreements Report Reference: GC201124F04' the attachments and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(b) (i) an (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to proposed funding agreements and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
171	493	Marion Golf Course - Management and Capital Investment Report Reference: GC201124F02	90 (3) (d)	Commercial Information - Public Interest	Report relates to renewal works at the Marion Golf Club. The matter is not yet finalised. Review in December 2022 as part of Annual Review	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Marion Golf Course - Management and Capital Investment Report Reference: GC201124F02, the attachments and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to the current EOI process for the management of the Marion Golf Course and is considered commercial confidential information, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
172	494	Tarnham Road Reserve Report Reference: GC201124F03	90 (3) (b)	Commercial Information - Public Interest	The Report, Minutes and attachments 1-5 have been released. It is recommended that Attachment 6 remain confidential as it contains information which outlines projected cost for a project that may go to tender in the future and is considered confidential commercial information. Review in December 2022 as part of the annual review of confidential orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that Attachment 6 to the report 'Tarnham Road Reserve Report Reference: GC201124F03 having been considered in confidence under Section 90 (2) and (3)(b) (i) and (ii) of the Act be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information outlines projected cost for a project that may go to tender in the future and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
173	495	Service Review - Public Litter - Report Reference: FAC201208F01	90 (3) (a) (d)	Personal Affairs Commercial Information - Public Interest	Report contains commercially sensitive information. Review in December 2022 as part of Annual Review.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, the attachments and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(a) and (d)(i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. 2. This confidentiality order will be reviewed at the General Council Meeting in December 2022.
174	496	Confidential - Rescission Motion - Edwardstown Soldiers Memorial Ground Funding Agreements Report Reference: GC201208M03	90 (3) (b)	Commercial Information - Public Interest	The minutes have been released. It is recommended that the report, and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke , to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report Confidential - Rescission Motion - Edwardstown Soldiers Memorial Ground Funding Agreements, Report Reference: GC201208M03' and the attachments to this report having been considered in confidence under Section 90 (2) and (3)(b) (i) an (ii) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to proposed funding agreements and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
175	497	Confirmation of the confidential minutes for the Review and Selection Committee meeting held on 3 November 2020 Report Reference: GC201208F01	90 (3) (a)	Personal affairs	Report and minutes have been released. Attachment contains minutes of a meeting held in confidence relating to the performance of the Chief Executive Officer. To be retained until such time as the former Chief Executive Officer retires from gainful employment. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Confirmation of the confidential minutes for the Review and Selection Committee meeting held on 3 November 2020, Report Reference: GC201208F01', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the personal affairs of the former Chief Executive Officer. This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
176	498	CEO Annual Performance Review 2019-20 Report Reference GC201208F02	90 (3) (a)	Personal affairs	Report contains personal affairs relating to the performance of the former Chief Executive Officer. To be retained until such time as the former Chief Executive Officer retires from gainful employment.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'CEO Annual Performance Review 2019-20, Report Reference: GC201208F02', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the personal affairs of the former Chief Executive Officer. This order is to remain in force until such time as the former Chief Executive Officer retires from gainful employment. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
177	499	Marion Golf Course - Management and Capital Investment Report Reference: GC201208F03	90 (3) (d)	Commercial Information - Public Interest	Report relates to renewal works at the Marion Golf Club. The matter is not yet finalised. Review in December 2022 as part of Annual Review	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Marion Golf Course - Management and Capital Investment, Report Reference: GC201208F03', any attachmnets and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information relating to renewal works that are not yet finalised. This 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 to be held in December 2022.
178	502	CEO Recruitment Report Reference: RSC210202F01	90 (3) (a), (d)	Personal Affairs Commercial Information - Public Interest	Report contains personal affairs relating to the recruitment of the Chief Executive Officer. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'CEO Recruitment, Report Reference: RSC210202F01', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs of the Cheif Executive Officer. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
179	504	Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 2020 Report Reference: GC210209F03	90 (3) (a), (d)	Personal Affairs Commercial Information - Public Interest	The report and minutes were previously released. Attachment contains minutes from a meeting held in confidence in relation to FAC201208F01 - Service Review - Public Litter which is to be retained. Review as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Confirmation of the confidential minutes for the Finance and Audit Committee Meeting held on 8 December 2020, Report Reference: GC210209F03', having been considered in confidence under Section 90(2) and (3)(a) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercia and personnel information relating to the Public Litter Service Review. This 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 to be held in December 2022.
180	505	Confidential - Questions Taken on Notice Register Report Reference: GC210209F04	90 (3) (f)	Maintenance of Law	Report and minutes released. Attachment relates to a question taken on notice regarding investigation of a criminal offence.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Confidential - Questions Taken on Notice Register, Report Reference: GC210209F04', having been considered in confidence under Section 90(2) and (3)(f) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains information regarding investigation of a criminal offence. This 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 to be held in December 2022.
181	507	CEO Recruitment Report Reference: GC210209F02	90 (3) (a), (d)	Personal Affairs Commercial Information - Public Interest	Item contains personal affairs relating to the recruitment of the Chief Executive Officer. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'CEO Recruitment, Report Reference: GC210209F02', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs of the Chief Executive Officer. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
182	508	Code of Conduct 1 Report Reference: GC210209F05	90 (3) (a)	Personal Affairs	Relates to a Code of Conduct complaint. Retain as complaint not upheld. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Code of Conduct 1, Report Reference: GC210209F05', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the conduct of Elected Members. This order is to remain in force for the current term of Council. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
183	509	Code of Conduct 2 Report Reference: GC210209F06	90 (3) (a)	Personal Affairs	Relates to a Code of Conduct complaint. Retain as complaint not upheld. Review in December 2022 as part of Annual Review of Confidential Orders	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report 'Code of Conduct 2, Report Reference: GC210209F06', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to the conduct of Elected Members. This order is to remain in force for the current term of Council. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.
184	512	Capella Reserve Construction of Carpark, Youth Plaza & Skatepark Report Reference: GC210223F01	90 (3) (b), (k)	Commercial Information - Public Interest Tender	Tender pricing in confidence and currently under construction	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Capella Reserve Construction of Carpark, Youth Plaza & Skatepark, Report Reference: GC210223F01', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) and (k) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures relating to the tender and construction of the facility. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
185	513	Marion Golf Park Consultation & Marketing Plan Report Reference: GC210223F02	90 (3) (d)	Commercial Information - Public Interest Tender	The report, attachment 1 and the minutes have been released. Attachment 2 relates to renewal works at the Marion Golf Club. The matter is not yet finalised. Review in December 2022 as part of Annual Review	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that Attachment 2 to this report 'Marion Golf Park Consultation & Marketing Plan, Report Reference: GC210223F02', having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information relating to renewal works that are not yet finalised. This 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 to be held in December 2022.
186	514	Unsolicited Proposal: 262 Sturt Road, Marion Report Reference: GC210223F03	90 (3) (d)	Commercial Information - Public Interest	Opportunties are still being discussed at Council. Unsolicited Proposal policy requires this information remain in confidence. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Unsolicited Proposal: 262 Sturt Road, Marion, Report Reference GC210223F03', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information supplied by 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 to be held in December 2022.
187	516	X Convenience Service Station Development Application Report Reference: GC210309F01	90 (3) (h)	Legal Advice	Matter is still ongoing. Retain attachment to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'X Convenience Service Station Development Application, Report Reference: GC210309F01', having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
188	517	Urban Renewal Opportunities Report Reference: GC210309F02	90 (3) (d)	Commercial Information - Public Interest	Item contains commercial information relating to a project that is ongoing. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Urban Renewal Opportunities, Report Reference: GC210309F02', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including preliminary concept plans and financial figures. This 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 to be held in December 2022.
189	518	Field River Linear Park Report Reference: GC210309F03	90 (3) (d), (j)	Commercial Information - Public Interest Confidential Information provided by a Minister	Item contains information provided by a Minister relating to a project that is in progress. Recommend delegate to CEO to revoke confidentiality order following consultation.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Field River Linear Park, Report Reference: GC210309F03', the attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) and (j) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information provided by a Minister. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.
190	521	Questions Taken on Notice Register Report Reference: GC210323F03	90 (3) (d) (g)	Commercial Information - Public Interest Duty of Confidence	Report and minutes have been released. Attachment contains information relating to Urban Renewal Opportunities. Retain confidentiality to be reviewed in December 2022 as part of the annual review of confidential orders.	No	1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report having been considered in confidence under Section 90 (2) and (3) (d)(i) and (ii) and (g) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection on the basis that this information relates to a report held in confidence (GC210309F02 Urban Renewal Opportunities) and contains commercial information including financial figures. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
191	522	Edwardstown Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model Report reference: GC210323F05	90 (3) (b) (g)	Commercial Information - Public Interest	It is recommended that the report, minutes and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model Report reference: GC210323F05' the minutes arising from this report and the attachments to this report having been considered in confidence under Section 90 (2) and (3)(b) (i) an (ii) and (g) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to proposed funding agreements and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
192	523	Confirmation of the confiential minutes for the Special Review Committee Meeting held on 23 March 2021 Report reference: SGC210321F01	90 (3) (a)	Personal Affairs	Report and minutes have been released. Attachment contains information relating to the recruitment of the Chief Executive Officer. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Confirmation of the confidential minutes for the Special Review and Selection Committee Meeting held on 23 March 2021, Report Reference: SGC210321F02', having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the recruitment of the Chief Executive Officer. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
193	524	CEO Recruitment Report reference: SGC210321F02	90 (3) (a)	Personal Affairs	Item contains personal affairs relating to the recruitment of the Chief Executive Officer. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders thatthis report 'CEO Recruitment, Report Reference: SGC210321F02', the attachments to this report and any minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the recruitment of the Chief Executive Officer. This 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 to be held in December 2022.
194	524a	Chief Executive Officer Recruitment Report Reference: SGC210408F01	90 (3) (a)	Personal Affairs	Item contains personal affairs relating to the recruitment of the Chief Executive Officer. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders thatthis report 'Chief Executive Officer Recruitment, Report Reference SGC210408F01', the attachments to this report and any minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the recruitment of the Chief Executive Officer. This 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 to be held in December 2022.
195	526a	Confidential - Edwardstown Urban Renewal Project - Prudential Report Report Reference: SFAC210413F01	90 (3) (d)	Commercial Information - Public Interest	Item contains commercial information relating to a project that is ongoing. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Confidential - Edwardstown Urban Renewal Project - Prudential Report, Report Reference: SFAC210413F01', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including preliminary concept plans and financial figures. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
196	527	Edwardstown Urban Renewal Project Prudential Report Report Reference: GC210427F04	90 (3) (d)	Commercial Information - Public Interest	Item contains commercial information relating to a project that is ongoing. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Urban Renewal Project - Prudential Report, Report Reference: GC210427F04', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including preliminary concept plans and financial figures. This 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 to be held in December 2022.
197	529	Edwardstown Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model Report reference: GC210427F06	90 (3) (b) (g)	Commercial Information - Public Interest Duty of Confidence	It is recommended that the report, minutes and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Soldiers Memorial Recreation Ground (ESMRG) 100 Percent Profit Share Model Report reference: GC210323F05' the minutes arising from this report and the attachments to this report having been considered in confidence under Section 90 (2) and (3)(b) (i) an (ii) and (g) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to proposed funding agreements and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
198	530	Question with Notice Edwardstown Urban Renewal Project Report Reference: GC210427Q01	90 (3) (d)	Commercial Information - Public Interest	Item contains commercial information relating to a project that is ongoing. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Question with Notice Edwardstown Urban Renewal Project, Report Reference: GC210427Q01', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures. This 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 to be held in December 2022.
199	531	Staff Movements and Exit Survey Data Report Reference: RSC210504F01	90 (3) (a)	Personal Affairs	Item contains personal affairs relating to council staff and record of discussion held in confidence. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Staff Movements and Exit Survey Data, Report Reference: RSC210504F01', the attachments to this report and any minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs of council staff. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
200	535	Edwardstown Soldiers memorial Recreation Ground Future Management Model Report reference: GC210511F03	90 (3) (b)	Commercial Information - Public Interest	It is recommended that the report, minutes and attachments be retained until negotiations for the facility have been finalised. Delegate authority to CEO to revoke, to be reviewed in December 2022 as part of the Annual Review of Confidential Orders.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Soldiers memorial Recreation Ground Future Management Model Report reference: GC210511F03' the minutes arising from this report and the attachments to this report having been considered in confidence under Section 90 (2) and (3)(b) (i) an (ii) and (g) of the Act, be kept confidential and not available for public inspection except when required to effect or comply with Council's resolution(s) regarding this matter on the basis the information relates to proposed funding agreements and is considered of a confidential commercial nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality be made. 2. Delegate to the CEO the Power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the December 2022 meeting of Council.
201	538	Residential Hard Waste and Dumped Rubbish Services Report reference: GC210525F02	90 (3) (a)	Personal Affairs	The minutes were not retained. The report and attachments contain personnel matters and should be retained in confidence. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Residential Hard Waste and Dumped Rubbish Services, Report reference: GC210525F02', and the attachments to this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personnel matters. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
202	541	Digital Transformation Program Report Reference: GC210608F01	90 (3) (a)	Personal Affairs	Report and attachments relate to a project still in progress and contains information regarding personnel matters. Recommend to retain until project complete. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Digital Transformation Program, Report Reference: GC210608F01', and any appendicies to this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personnel matters relating to the Digital Transformation Program. This 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 to be held in December 2022.
203	546	Coastal Walkway Update - Field River Report Reference: GC210622F03	90 (3) (b)	Commercial Information - Public Interest	Attachments and minutes not retained in confidence. Report contains pre tender estimates and budget allocation. Currently under construction and planning for future stages. Review December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Coastal Walkway Update - Field River, Report Reference: GC210622F03', having been considered in confidence under Section 90(2) and (3)(b) (i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains financial figures and pre-tender estimates. This 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 to be held in December 2022.
204	547a	Morphettville Racecourse and Surrounds Report Reference: SGC210713R11.1	90 (3) (d)	Commercial Information - Public Interest	Report, minutes and attachments to be released as not confidential. Presentation retained to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the presentation associated with this report 'Morphettville Racecource and Surrounds, Report Reference: SGC210713R11.1', having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information provided by 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
205	550	Unsolicited Proposal Report Reference: SGC210713F12.2	90 (3) (d)	Commercial Information - Public Interest	Opportunties are still being discussed at Council. Unsolicited Proposal policy requires this information remain in confidence. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Unsolicited Proposal, Report Reference: SGC210713F12.2', any appendicies and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information provided by 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 to be held in December 2022.
206	551	Request for Proposals - City Services Surplus Land Report Reference: SGC210713F12.3	90 (3) (d)	Commercial Information - Public Interest	Retain as confidential as the matter is still in negotiations and contains commercial in confidence information provided by an external party. To be reviewed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, 'Request for Proposals – City Services Surplus Land, SGC210713F12.3', any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act, be kept confidential and not available for public inspection upon the basis that the informamtion contains commercial in confidence information provided by 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 2022.
207	552	Abandoned trolleys and the utilisation of the Local Nuisance and Litter Control Act Report reference: GC210727F18.1	90 (3) (h)	Legal Advice	Matter ongoing. Report retained, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Abandoned trolleys and the utilisation of the Local Nuisance and Litter Control Act, Report Reference: GC210727F18.1', having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
208	554	Animal Impounding Report Reference: GC210810F18.1	90 (3) (b) (d)	Commercial Information - Public Interest	Matter ongoing. Report retained, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Animal Impounding, Report Reference: GC210810F18.1', the attachments to this report and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(d) (i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information regarding provision of animal impounding services. This 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 to be held in December 2022.
209	555	Cove Cobras Football Club Update Report Reference: GC210810F18.2	90 (3) (d)	Commercial Information - Public Interest	The report and minutes have been released. Appendix contains confidential information pertaining to licencing agreements with Cove Cobras Football Club. To be reviewed in 2022 and consultation with clubs regarding release if appropriate.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachment to this report 'Cove Cobras Football Club Update, Report Reference: GC210810F18.2', having been considered in confidence under Section 90(2) and (3)(d) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains confidential information pertaining to licencing agreements This 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 will be reviewed at the General Council meeting to be held in December 2022.
210	558	CEO Midway Probationary Review Report Reference: GC210810F18.5	90 (3) (a)	Personal Affairs	Item contains information relating to the performance of the Chief Executive Officer. Retain, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'CEO Midway Probationary Review, Report Reference: GC210810F18.5', the attachements and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the performance of the Chief Executive Officer. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 3. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
211	562	Lot 707 Marion Road Bedford Park Report Reference: GC210824F18.3	90 (3) (m)	Development Plan Amendment	Matter ongoing. Report retained, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Lot 707 Marion Road Bedford Park, Report Reference: GC210824F18.3', the attachments to this report and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(m) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information provided by a third party regarding future development of the site. This 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 to be held in December 2022.
212	563	Cove Sports and Community Club Feasibility Study and Business Case Report Reference: GC210914F18.1	90 (3) (b)	Commercial Information - Public Interest	Report and minutes released with redactions. Case study is ongoing and attachment should be retained. Review December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Cove Sports and Community Club Feasibility Study and Business Case, Report Reference: GC210914F18.1', having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures and concept designs. This 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 to be held in December 2022.
213	564	Westminster Reserve and Keaton Avenue Reserve - Revocation of Community Land Classification Report Reference: GC210914F18.2	90 (3) (h)	Legal Advice	Report, attachments 18.2.1, 18.2.2 and minutes have been released. Attachment 18.2.3 contains legal advice. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that attachment 18.2.3 to this report 'Westminster Reserve and Keaton Avenue Reserve Revocation, Report Reference: GC210914F18.2', having been considered in confidence under Section 90(2) and (3)(h) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains legal advice. This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. This confidentiality order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
214	565	Sports Lighting Project LRCIP Funded Report Reference: GC210914F18.3	90 (3) (b)	Commercial Information - Public Interest	The attachment contains financial information relating to the delivery of the projects and if released could confer a commercial advantage on a person with whom is conducting or proposing to conduct business with. Retain until the full delivery of the project. To be reviweed as part of the Annual Review of Confidential Orders in December 2022.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that the attachments to this report 'Sports Lighting Project LRCIP Funded, Report Reference: GC210914F18.3', having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including financial figures relating to the delivery of the project. This 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 to be held in December 2022.
215	567	Chief Executive Officer Probationary Review Report reference: SRSC210921F5.1	90 (3) (a)	Personal Affairs	Item contains personal affairs relating to the performance of the Chief Executive Officer. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Chief Executive Officer Probationary Review, Report Reference: SRSC210921F5.1', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the performance of the Chief Executive Officer. This 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 to be held in December 2022.
216	568	Lot 707 Marion Road, Bedford Park Report Reference: PDC211005F9.1	90 (3) (g)(h)(m)	Duty of Confidence Legal Advice PDI Amendment	Matter ongoing. Report retained, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Lot 707 Marion Road Bedford Park, Report Reference: PDC211005F9.1', the attachments to this report and any minutes arising from this report having been considered in confidence under Section 90(2) and (3) (g) (h) and (m) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to a development application, legal advice, planning policy matters and Aboriginal Heritage considerations. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
217	569	2020-21 ACSC Annual Cyber Threat Report Report reference: FAC211012F9.1	90 (3) (e)	Security of Council/Safety	Information relates to the security of Council and should be retained. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report '2020-21 ACSC Annual Cyber Threat Report, Report Reference: FAC211012F9.1', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(e) of the Act be kept confidential and not available for public inspection on the upon the basis that the information relates to internal and external security assessments. This 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 to be held in December 2022.
218	570	Public Lighting - Claim for Consultancy Fee by Trans-Tasman Energy Group Report reference: GC211012F16.1	90 (3) (h)	Legal Advice	Matter is still ongoing. Retain to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Public Lighting - Claim for Consultancy Fee by Trans-Tasman Energy Group, Report reference: GC211012F16.1', any attachments 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 upon the basis that the information contains legal advice relating to a matter that is ongoing. This 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 to be held in December 2022.
219	572	Chief Executive Officer Probationary Review Report reference: GC211012F16.3	90 (3) (a)	Personal Affairs	Item contains information relating to the performance of the Chief Executive Officer. Retain, to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Chief Executive Officer Probationary Reivew, Report Reference: GC211012F16.3', the attachments to this report and any minutes arising from this report having been considered in confidence under Section 90(2) and (3)(a) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains personal affairs relating to the performance of the Chief Executive Officer. This 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 to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
220	574	Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 12 October 2021 Report reference: GC211026F16.3	90 (3) (e)	Security of Council/Safety	Attachment contains minutes of a report relating to security of Council and should be retained. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the attachment to this report 'Confirmation of the Confidential Minutes of the Finance and Audit Committee Meeting held on 12 October 2021, Report reference: GC211026F16.3', having been considered in confidence under Section 90(2) and (3)(e) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains minutes of a report relating to internal and external security assessments. This 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 to be held in December 2022.
221	575	Unsolicited Proposal - 262 Sturt Road, Marion Report reference: GC211026F16.3	90 (3) (d)	Commercial Information - Public Interest	Opportunties are still being discussed at Council. Unsolicited Proposal policy requires this information remain in confidence. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Unsolicited Proposal - 262 Sturt Road, Marion, Report Reference: GC211026F16.3', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information supplied by 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 to be held in December 2022.
222	576	Culinary Escapades Pty Ltd Lease at the Marion Cultural Centre Report reference: GC211026F16.1	90 (3) (b) (d)	Commercial Information - Public Interest	This report contains commercial information relating to the most recent operator. It is recommended to retain this information as Council is going through an EOI process and it may confer a commercial advantage on a third party. It is recommended to delegate to the CEO to revoke following EOI process and consultation with third parties.	No	That: 1. In accordance with s 91(7) and (9) of the Local Government Act 1999, orders that this report 'Culinary Escapades Pty Ltd Lease at the Marion Cultural Centre, Report Reference: GC211026F16.1', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(b)(i) and (ii) and (d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information relating to the most recent operator that could confer a commercial advantage on a person with whom the Council is proposing to conduct business . This order is to remain in force until such time as it is reviewed, at which time a further order of confidentiality may be made. 2. Delegate to the CEO the power to revoke the confidential order. 3. If not revoked prior, this confidential order will be reviewed at the General Council Meeting to be held in December 2022.

No.	Internal Reference	Item & Reference Number	LG Act Ref	Description	Grounds for Recommendation	For Release	2021 Council Resolution
223	577	Edwardstown Urban Renewal Project - Update Report reference: GC211026F16.5	90 (3) (d)	Commercial Information - Public Interest	Item contains preliminary concept plans and financial figures of an ongoing project. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Edwardstown Urban Renewal Project - Update, Report Reference: GC211026F16.5', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including preliminary concept plans and financial figures. This 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 to be held in December 2022.
224	578	The Boatshed Cafe - Leasing Arrangements Report Reference: GC211123F16.1	90 (3) (b) (d)	Commercial Information - Public Interest	Minutes released in part. with minutes relating to report back to Council retained in confidence. Report and attachments to be retained as matter is ongoing. To be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'The Boatshed Cafe - Leasing Arrangements, Report Reference: GC211123F16.1', any appendicies and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information including lease arrangements. This 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 to be held in December 2022.
225	579	Unsolicited Proposal - 262 Stuart Road, Marion Report reference: GC211123F16.2	90 (3) (d)	Commercial Information - Public Interest	Information relates to a proposal from a third party. Matter is ongoing and it is recommended to retain in confidence to be reviewed December 2022.	No	That: 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report 'Unsolicited Proposal - 262 Stuart Road, Marion, Report reference: GC211123F16.2', any attachments and the minutes arising from this report, having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act be kept confidential and not available for public inspection on the upon the basis that the information contains commercial information provided by 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 to be held in December 2022.

11.2 Policy Review - Leasing and Licencing Policy	
Report Reference	GC211214R11.2
Originating Officer	Unit Manager Land & Property – Michael Collins
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

The objective of this report is to provide Council with information in relation to the review of the *Leasing and Licensing of Council Owned Facilities Policy* so that the proposed policy review can be considered for adoption.

REPORT HISTORY

List any relevant report references - optional field, remove table and heading if not required

Report Reference	Report Title
GC131216R20	Leasing and Licensing of Council Owned Facilities Policy
GC280317R01	Leasing and Licensing of Council Owned Facilities Policy
EMF211116R1.4	Policy Review Leasing & Licensing

EXECUTIVE SUMMARY

Following the Elected Members Forum held on 16 November 2021, Council's Leasing and Licensing of Council Owned Facilities Policy (the Policy) has been reviewed and amended for consideration by Council.

The key proposed changes to the Policy are:

- Market Rent to be determined by reference to Council's annual valuation data.
- Applicable rent for Sporting and Community (Not for Profit) organisations to be based on 7% of the determined Market Rent. This replaces the requirement for Sporting and Community organisations to provide subsidy information to qualify for up to 93% discount on their rent.
- Key Performance Outcomes will be included in agreements for Sporting and Community (Not for Profit) organisations, and a Special Condition included in the Schedule of these agreements requiring that the agreement holder provide annually to Council a report with evidence to verify their performance and achievements against the Key Performance Outcomes.
- Clarification provided in the Policy for agreement holders of shared use/multiple occupancy facilities to allow for grossed up rents to be charged including an allowance to cover the cost of outgoings.
- Rents will be fixed for the duration of the term up to five years (no annual CPI increases).
- Administration reporting requirements back to Council for rent/outgoings arrears in excess of 120 days, and compliance reporting documentation outstanding for 120 days from date of written request by Council.

The amended policy is provided as **Attachment 1** and a marked-up version as **Attachment 2**.

RECOMMENDATION

That Council:

1. **Adopt the Leasing and Licensing of Council Owned Facilities Policy, as amended and included in Attachment 1.**

BACKGROUND

Council's current Leasing and Licensing of Council Owned Facilities Policy was first considered in December 2016 where it was approved for community consultation. It was subsequently adopted by Council on 28 March 2017 (GC280317R01) with a review date due in 2021.

There are currently 48 Agreements operating under the current policy, which represents approximately 67% of active agreements. The remaining property agreements (where Council is the Lessor/Licensor) are still operating under historic agreements which have not been due for renewal since the policy was adopted.

The current Policy seeks to achieve a transparent and equitable approach to lease management that supports and enables community and sporting organisations to thrive and deliver community and social value to City of Marion residents.

When the report to consider the adoption of the current policy was presented to Council in 2017 it stated that the purpose of the review was:

- To ensure a consistent and equitable approach for organisations leasing council owned facilities.
- Will remove peppercorn rent arrangements of $1 per annum.
- Clubs will no longer be charged building insurance.
- The financial modelling was prepared on the basis that organisations will be eligible for the total 93% subsidy and that there would be no net change to the cost to Council or revenue received
- One of the aims is to increase facility utilisation. If clubs are not required to pay rent there will be no incentive to increase membership, hire out facilities, attract other users to maximise and obtain the maximum rental subsidy.
- A club can apply to Council seeking deferment or reduction of payment due to hardship. A review of the financial statements of the clubs indicates that for the majority this would not cause hardship.
- Recognition of the community value provided by Council is transparent and consistent.

The 2017 report noted that during the community consultation on the new policy a number of organisations provided feedback. One of the key concerns raised by the organisations at the time was the additional administrative requirements for organisations to provide the information to qualify for subsidies, noting that these organisations are supported by volunteers.

Operation of Policy

The subsidy criteria included in the policy are 5 key reporting areas with 13 different reporting requirements across those areas. With the proposed amendments to the policy, it is intended that these requirements will be broadly replicated as 'Key Performance Outcomes' in the agreements that the organisations will be required to demonstrate being met on an annual basis and evidenced at the annual property inspection.

Following the adoption of the new policy in 2017, lease and licence agreements were transitioned to the new policy requirements as the agreements came up for renewal. Currently 48 agreements have transitioned to and are governed by the new policy requirements.

During the 2020/2021 financial year, there was a strong focus on following up community organisations to provide their subsidy information to Council, as previous years were focused on transitioning the community groups to their new agreements. Despite multiple follow up requests for information to be provided, and a simple method for organisations to upload their information via Council's website, as of October 2021 only 34% of organisations were fully compliant with supplying their all their subsidy information (addressing all criteria). 88% of organisations had provided all but two components of the required information.

Community organisations are volunteer run, the reporting requirements place an additional burden on these volunteers taking their focus away from the core activities they undertake. Often the provision of subsidy information is low on the list of priorities for the organisations as they are focusing on delivering the programs and activities for their members, as a result it requires frequent follow up from Council staff.

To help streamline the collection of all compliance and subsidy documentation, a process has been established whereby the documentation is requested in the annual inspection notification letters or emails for provision to Council either at or prior to the property inspection date.

Due to the importance of Council ensuring that agreement holders have up to date Certificates of Public Liability Insurance, it is intended that these will still be followed up and requested from property agreement holders periodically throughout the year.

The details for the implementation of the Policy will be included in an internal Leasing and Licencing Policy Guidelines Procedure Document to be separately endorsed by Councils Executive Leadership Team.

KPMG Audit

In 2021, KPMG were engaged to undertake an audit of Councils single occupancy sporting facilities. The scope of this audit included a high-level comparison of the City of Marion's leasing policy and management models for single occupancy sporting facilities to other councils. This benchmarking analysis also included stakeholder consultation with staff from a sample of comparable councils to understand pros and cons of different leasing and management models. Based on the results of the benchmarking potential alternate management models were identified.

The KPMG Audit Executive Summary is included as **Attachment 3.**

The KPMG Audit considered three other models for community facilities being:

- Peppercorn Rent (City of PAE) plus grounds maintenance fee based on schedule of fees and charges, and with Key Performance Indicators include in the agreement.
- A Hybrid model (City of Charles Sturt) based on Capital Replacement Value, Percentage of Ground Maintenance Cost, and subsidy based on capital improvements.
- Flat fee per playing surface (Interstate Council) building considered ancillary to playing surface and not charged for.

As identified in the KPMG audit, the process required based on the current Policy is highly manual and labour intensive compared to other Councils, which is further compounded by the lack of a supporting software system, which was also identified in the joint leasing and licensing audit with the City of Charles Sturt, undertaken by KPMG.

Retail & Commercial Leases Act

Amendments to the Retail and Commercial Leases Regulations 2010 were enacted on 22 April 2021 and provide for certain classes of leases to be exempt from the Act where the lessor is a

municipal or district council.

Section 4(2)(g) of the *Retail and Commercial Leases Act 1995* (**Act**) provides for leases to be exempt from the Act where the lessor is a municipal or district council and the lessee is of a class prescribed by regulations.

The amendments to the *Retail and Commercial Leases Regulations 2010* (**Regulations**) result in the following classes of lessees being prescribed as exempt from the application of the Act:

- A Not-for profit association or body registered under the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth; or
- An entity that is not carried on for the purposes of profit or gain to its individual members and that is, by the terms of its constitution, prohibited from making any distribution, whether in money, property or otherwise, to its members; or
- Uses the premises the subject of the lease for the provision of health, welfare, community, cultural, sporting, or recreational services on a non-commercial basis.

The exemption includes a rental threshold of $50,000 per annum (exclusive of GST).

Council's current policy requires that the rent stated in the schedule for Council's community lease and licence agreements is the full market rent, which may be discounted by a maximum of 93%. For a number of community organisations, the market rent figure will fall outside of the exemption rental threshold of $50,000 meaning that the agreements will not be exempt from the requirements of the Act and the associated administrative burdens that the amendments to the Act were intended to remove.

The current model also does not enable a fixed known rent to be included in the agreement which could be considered poor practice as the annual rent could potentially vary considerably from year to year.

The above has been considered when reviewing the policy and amendments made to ensure that Council's community leases fall within the exemptions contained in the Regulations.

Proposed Amendments to City of Marion Policy

Having taken into consideration the KPMG Audit findings, the need to comply with the Retail and Commercial Leases Regulations 2010, together with the discussions at the Elected Members Forum, Council administration have looked at the City of Marion current model and considered how it could potentially be amended to streamline the process for the community organisation's and staff, ensure compliance with the amendments to the *Retail and Commercial Leases Regulations 2010* whilst still fulfilling the intentions that were identified in the 2017 reports to Council.

The following changes have been incorporated in the revised Policy document:

- Rent being determined by existing council valuation data (updated and supplied on an annual basis to Council) and applied at 7% rather than by engaging an independent valuer at significant cost to Council and then applying the subsidy discount (the cost of engaging a valuer can be in excess of the rental return to Council).
- Replacing the 'Subsidy Criteria' with Key Performance Outcomes included in Agreements (See **Attachment 4** for an Example). An annual Key Performance template to be completed and returned with other compliance documentation during annual inspections.
- Rent being fixed for the duration of agreement (up to five years with no rent reviews during this time).
- Rent reviewed every five years or at renewal.
- Multi-use / shared use facilities being charged a grossed-up rent inclusive of all outgoings

costs (estimated based on historic or projected usage).

Multi or shared use facilities

Shared use facilities are not currently considered in the policy. A significant amount of administrative time can be expended calculating and on-charging outgoings costs for agreement holders of shared use facilities.

The revised Policy document has been amended to enable grossed up rents to be charged for these agreements that include all outgoings estimated based on historical usage. This will reduce administrative costs for Council and will enable community organisations to budget more effectively and with certainty. There is still an incentive to the agreement holders for efficient use of utility provisions, as this will impact on the grossed-up rent for future agreements.

Financial Analysis

The proposed changes to the operating model are intended to have minimal impact on the financial return to Council, whilst still requiring the community organisations to ensure community benefit through Key Performance Outcomes rather than subsidy criteria.

It is intended that the actual rent payable is still based on 7% of market rent. The primary difference would be that there will be no CPI rent reviews annually during the course of the five year term which gives certainty to the community organisations for the duration of the term. The administrative cost of undertaking the annual rent reviews far outweighs the actual annual increase when applied to 7% of a market rent. These changes also remove the requirement for Council to pay for separate valuations, and instead rely on existing council valuation data which is provided and updated annually.

Non-compliance

Taking into account comments and concerns expressed by Elected Members at the forum, the Policy has been revised to include provision for when a property agreement holder falls in excess of 120 days in arrears with rent /outgoings payments due to Council, or where compliance reporting documentation is not provided to Council within 120 days of written request, then Council Administration will present a report to the next available General Council Meeting (taking into account agenda preparation deadlines) for Council's consideration of next steps to address the breach of the terms of the agreements.

It should be noted that in addition to the formal reporting process to Council outlined in the policy review, Administration have established a process to monitor arrears and payments on a monthly basis, which will trigger discussions and formal notification to the lease holders.

ATTACHMENTS

1. Attachment 1 - Leasing and Licensing of Council Owned Facilities Policy [**11.2.1** - 10 pages]
2. Attachment 2 - Leasing and Licensing of Council Owned Facilities Policy - Marked Up [**11.2.2** - 11 pages]
3. Attachment 3 - Extract from Executive Summary of KPMG Audit [**11.2.3** - 1 page]
4. Attachment 4 - Example Key Performance Outcomes [**11.2.4** - 2 pages]

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

1. RATIONALE

Council provides an extensive range of facilities from multipurpose sites with playing fields, halls, community gardens, commercial, tennis and netball clubs, kindergartens etc. Leases or licenses are provided to a diverse range of organisations ranging from small community groups, sporting clubs, state government agencies to commercial entities.

The Policy provides guiding principles and statements that will form the negotiating position of Council as new leases are entered into for all organisations who occupy council owned facilities.

2. POLICY STATEMENT

City of Marion may lease or license Council owned or managed land to meet Council's strategic plans based on community priorities. The aim of the policy is to make land and building facilities available to groups or organisations on a fair and equitable basis to meet community needs and support the optimal use of facilities.

3. OBJECTIVES

The aim of the Policy is to ensure an equitable and consistent approach to leases and licenses which encourages high utilisation rates, diversity of use and supports organisations occupying Council facilities to be sustainable.

Council will endeavor to ensure facilities are fit for purpose and the term and conditions of leases are equitable, consistent, support good governance, accountability and optimise the use of Council facilities.

The following principles guide the provision and management of Council owned facilities:

Community Benefit & Social Inclusion:

- Ensure Council-owned facilities are used to meet demonstrated community needs consistent with Council's policies and the Community Vision
- Optimise use of Council's community facilities and provides equitable and inclusive access by the City of Marion community
- Support and encourage diversity of programs and activities offered from Council facilities
- Assist not-for-profit and volunteer-based organisations that offer activities and services in the City of Marion
- Encourage active and healthy lifestyles

Good Governance & Accountability:

- Ensure a transparent and equitable process of granting new leases or licences and renewals by having clear assessment criteria
- Ensure lessees pay fair and reasonable rentals based on established eligibility criteria and calculation methodologies

Leasing and Licensing of Council Owned Facilities Policy

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- Facilitate a shared approach between Council and lessee as to the cost of management and maintenance of Council-owned facilities;
- Ensure lessees are accountable for meeting operational responsibilities for venue management and meeting agreed targets
- Ensure sound financial management and effective administration of community facility leasing and licensing.
- Ensure that Council-owned facilities are appropriately maintained as Council assets

Environmental Sustainability:

- Ensure Council facilities maximise the use of solar, energy and water efficiency initiatives to reduce the environmental impact
- Encourage and support Lessees to implement environmental initiatives

4. POLICY SCOPE AND IMPLEMENTATION

Scope

This Policy applies to the leasing or licensing of Council owned or managed land and facilities.

Implementation

4.1 ELIGIBILITY FOR LEASE OR LICENCE

4.1 (a) Council will enter into a lease or licence agreement with a not for profit organisation, once the organisation can demonstrate its eligibility by meeting the relevant eligibility criteria to the reasonable satisfaction of Council Administration:

- It is a not for profit organisation under Australian tax office definitions
- It is an incorporated/legitimate body under the auspice of an incorporated body or under the auspice of an incorporated body
- It has an Australian Business Number (ABN)
- It is financially viable by providing 3 years of annual financial statements to Council (where applicable)
- It complies with relevant legislation and regulations governing its activities
- It is able to demonstrate it will meet a community need
- It has good governance capability

4.1 (b) Council will consider a lease or licence agreement, for a commercial organisation once the organisation demonstrates:

- It is able to demonstrate it will meet a community need
- It provides a financial benefit or return to Council
- It has the professional capacity and experience
- It does not generate income from gambling (including poker machines)
- It provides an economic benefit to the City of Marion

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

4.1 (c) Council will consider a lease or licence agreement with a school or kindergarten where:

- The use does not impact on the broader community needs or result in a facility being used beyond its capacity
- Consideration is given to a contribution to the maintenance of the facilities used by the school, the level of contribution reflecting the level of use
- Fees are consistent with commercial fees, although a reduction may be considered to reflect the school's socio economic status, contribution to the ongoing maintenance and capital
- A school, DECD or other education body have appropriately contributed to the capital development of the facility they will be provided with exclusive use
  The school or kindergarten has adequate insurance

4.2 ANNUAL FEE

Sporting & Community (Not for Profit) Agreements

Rents for Sporting and Community (Not for Profit) agreement holders will be charged on the following basis:

- The annual rent will be calculated at a rate of 7% of the 'market rent' in accordance with Council's asset valuation data.
- The rent will be fixed for the duration of the term (up to 5 years) and will be reviewed on renewal of the lease or at the 5 year point to the rate of 7% of the 'market rent' in accordance with Council's asset valuation data applicable at the time.
- Where separately metered, agreement holders will be responsible for 100% of the cost of utilities consumed (with the exception of water which will be as detailed in this policy).
- Council will not on-charge the costs of buildings insurance or Council Rates to Sporting and Community (Not for Profit) agreement holders.
- Where the agreement is for the shared use of a multiple occupancy facility, Council administration may choose to apply a grossed-up rent which will include an element for contribution for a share of the outgoings costs for the premises based on reasonable estimated usage.
- Sporting and Community (Not for Profit) agreement holders will be required as a term of their agreement to meet Key Performance Outcomes (outlined in the Guidelines Procedure), and to provide evidence of meeting these outcomes on an annual basis, together with any other compliance documentation required by Council.
- A minimum fee of $300.00 (excluding GST) per annum shall be payable should the discounted rent be calculated at less than $300.00

Leasing and Licensing of Council Owned Facilities Policy

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Commercial Agreement Rent/Fees

Commercial Agreements will generally have a market rent or fee set to provide a commercial return to Council, however in selecting a commercial lessee, Council will have regard to how the proposed use or business will contribute to the delivery of the Strategic Plan and the likely impact or benefit to the community. This may affect the level of rent applied and would be subject to a Council resolution. Council will recover outgoings and legal expenses where applicable, in accordance with any restrictions imposed by the Retail and Commercial Leases Act 1995. Council Rates will be applicable for commercial lease agreements.

Rent Arrears and Non-Compliance

Where an agreement holder is in arrears with their invoiced rent and / or outgoings liabilities by a period of 120 days or more, or where an agreement holder has not supplied all required Key Performance Outcomes evidence (or subsidy information if on an historic agreement) and other required compliance documentation to Council within 120 days of an annual written request, then Administration will provide a report to Council at the next available General Meeting, subject to agenda preparation deadlines in place.

4.3 TERM OF AGREEMENT

Terms of agreement will not be greater than 5 years unless Council resolves to grant a longer term lease.

Where a lease or licence is to be granted for greater than 5 years and is located on Community Land community consultation will be undertaken in line with the Local Government Act 1999.

Where the term of the lease or licence is to be less than 5 years, and Section 20B of the Retail and Commercial Leases Act 1995 applies, the Lessees or Licensee shall be required to provide Council with a certificated exclusionary certificate duly signed by the Lessee's or Licensee's solicitor waiving the minimum statutory term of five years in the form required by the Act.

This certificate must be provided to the Council prior to the Lessee or Licensee taking possession of the premises.

4.4 MAINTENANCE, REPAIRS AND REPLACEMENTS

A comprehensive list of building items will be provided to organisations in the form of a Maintenance Schedule Annexure to the agreement which will clearly set out responsibilities. Council will take responsibility for structural items in buildings this will include items relating to footings, floor (not including coverings), walls (not including applied finishes), roof members and cladding and provision of services to the external walls.

4.5 UTILITIES, OUTGOINGS AND WASTE DISPOSAL

Organisations will be responsible for the cost of all utilities, outgoings and waste disposal associated with their operations. Council will work with organisations to assist them to

implement environmental initiativessuch as waste reduction, recycling and energy efficient practices.

4.6 WATER USAGE

4.6 (a) Buildings

Where the lease or licence refers only to a building and there is no open space attached to the leased or licensed area then the Lessee/Licensee shall be responsible for the payment of all water and sewer charges levied against the leased area.

4.6 (b) Open Space

Where there is an associated playing field that is accessible to the general community the lessee/licensee will be responsible for 10% of the cost of the water used. Where the facility is fenced or not accessible to the community the lessee / licensee shall be responsible for the payment of all water and sewer charges levied.

Council encourages water conservation techniques and when considered appropriate shall place a cap on the amount contributed by Council. The amount of the cap shall be determined at the time of negotiating a lease or licence by Council. Access to stormwater reuse will be encouraged.
Where there are shared meters on the site consideration will be taken on community access to the site and the proportion will be negotiated with the organisation to ensure it is in line with like facilities.

4.7 SPORTING GROUNDS AND COURTS

Council maintains playing fields that are open to the public for passive recreational activities. There are some circumstances where Council may negotiate with a Club to take on the responsibility of maintaining sporting grounds which are specialist in nature such as bowling greens.

Council will work in partnership with tennis and netball clubs, peak bodies and other funding organisations when courts are required to be resurfaced. Clubs will be expected to contribute funds either through a combination of club funds, external grants or a loan from Council. In determining the club contribution consideration will be given where courts are made available for community use.

4.8 FLOOD LIGHTING

Council will be responsible for the regular inspecting of light poles and ensuring they are maintained; lessee and licensees will be responsible for the replacement of lamps.

Should a lessee/licensee seek to install new lights, they will be expected to make a financial contribution. Council will work in partnership with the lessee to seek external funding and/or negotiate a Council loan.

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

4.9 SUB-LETTING OR HIRING OUT OF LEASED FACILITIES

It will be a condition of the lease that all sub-letting arrangements will be in line with this Policy and that lessees must seek Council approval to the terms and conditions prior to sub- letting.

Where an organisation enters into a sub-licence for part or all of the premises to another club or a commercial activity, Council reserves the right to assist the sub-tenant in negotiating a sub-licence fee based on the nature and quantum of the sub-licence.

Clubs are encouraged to hire out facilities to maximise the use of the facilities and to generate income to support them to be sustainable. It is expected that these rates do not exclude the community from being able to access them due to the cost.

4.10 HARDSHIP

Where a Lessee/ Licensee is able to produce evidence that the fee will cause undue hardship (after subsidies are applied) then the Lessee or Licensee can make an application to Council seeking deferment of payment.

The City of Marion is under no obligation to accept such a request and will make its decision based on the financial position of the lessee or licensee at the time of making the application.

4.11 GAMING MACHINES

Council does not support the introduction or increase of gaming machines in premises on Council owned land for any new Lessee or Licensee.

4.12 POLITICAL SIGNS

Advertising of political parties, Member of Parliament, Elected Members and candidates for Parliament/Council be prohibited on Council owned premises.

4.13 LIQUOR LICENSE SUPPORT REQUESTS

Where agreement holders wish to apply for a new Liquor Licence, or apply for an amendment to an existing Liquor Licence, landowner consent and support will be required to be sought from Council. Requests will be assessed in accordance with Council's Liquor Licence Support Procedure.

Transitional Arrangements

The provisions of this Policy shall not apply to any existing leases or licenses to the extent that the provisions contained herein are not in accordance with the original agreement. When the renewal of that lease or licence is negotiated the provisions of this Policy will be applied fully.

Where no formal arrangement exists then the provisions of this Policy will be applied to negotiate a formal lease or licence is negotiated the provisions of this Policy will be applied fully.

Where no formal arrangements exists then the provisions of this Policy will be applied to

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

negotiate a formal lease or licence at the earliest opportunity.

5. DEFINITIONS

Term	*Definition*
Community Buildings	Buildings primarily available to facilitate community activities inline with Council's corporate strategies and community land management plans.
Community Club or Organisations	Organisations that are incorporated for the benefitof the community and any profit is distributed back into the facility and does not restrict its services to its members and provides one or more
Incorporated Body	Any Committee or Organisation that is incorporated under the Associations Incorporation Act 1985
Lease	Such agreements shall be used where the occupier has full and exclusive use ofthe premises.
License	Such agreements shall be used where the occupier does not have full andexclusive use of the premises
Maintenance	Means that facilities are maintained; in good repair and condition; conformto relevant legislation and codes; are free of graffiti and other acts of vandalism; and includes preventative maintenance approaches.
Non-community organisations	Organisations that are specifically a 'business' and are in business for the purpose of making a profit or which are so constituted that the assetsmay be distributed amongst the members of the organisations.
Open space	is leased outdoor facilities which is available for community use outside formal sporting use excluding sport related facilities such as clubrooms, storage sheds

6. ROLES AND RESPONSIBITIES

Role	Responsibility
Unit Manager Land & Property	• Overall responsibility for ensuring compliance with this Policy.
Senior Property Officer	• Ensure documentation and responsibilities are compliant with this Policy, including inspections undertaken and compliance documentation provided. Reporting on arrears and non provision of requested compliance documentation to Council.

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

Role	Responsibility
Property Officer	• Ensure documentation and responsibilities are compliant with this Policy, including inspections undertaken and compliance documentation provided.

7. REFERENCES

City of Marion

- Asset Management Plans
- Asset Management Policy
- City of Marion Community Vision – Towards 2040
- City of Marion Strategic Plan 2019-2029
- City of Marion Community Facilities Strategy – (under development)
- City of Marion Business Plan 2019-2023
- City of Marion Long Term Financial Plan
- Community Land Management Plans
- Disposal of Land and Assets Management Policy
- Irrigation Management Plan
- Public Consultation Policy and Public Consultation Procedure

Other

- Associations Incorporation Act 1985
- Development Act 1993
- Disability and Discrimination Act 1992
- Gaming Machines Act 1992
- Law of Property Act 1936
- Liquor Licensing Act 1997
- Local Government Act 1999
- Planning, Development and Infrastructure Act 2016
- Real Property Act 1886
- Retail and Commercial Leases Act 1995

8. REVIEW AND EVALUATION

This policy will be reviewed by Council every four years in accordance with the City of Marion Policy Framework or sooner if required.

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

Key Performance Outcomes for Sporting and Community (Not for Profit) Organisations

It will be a condition of Lease & Licence Agreements to sporting and community organisations that the below Key Performance Outcomes are evidenced to Council on an annual basis.

Good Governance

The organisation can demonstrate:

- Compliance with conditions of current or previous lease/licence agreements with Council
- Provision of Annual General Meeting reports and minutes including financial reports (to be audited upon request)
- Financial viability, have not incurred a debt with Council and have repaid any loans to Council in line with the loan agreement
- Quality Management is integrated into operations - capacity building, good governance and planning etc., evidenced through provision of an annual business plan, current constitution, policies and procedures etc.

Facility Utilisation

The organisation is able to:

- Provide evidence of membership/user/participant numbers and hours of use on an annual basis.
- Provide evidence of activities and initiatives undertaken to increase the utilisation of the facility
- Initiatives planned to increase use or participant numbers
- Evidence of shared use of the facility by the community and other community clubs and organisation to ensure optimal use of the facility.

Social Inclusion

The organisation can demonstrate:

- The activity or service they provide is non-discriminatory and is open to all residents who meet stated criteria for participation.
- The use of the facility will increase social inclusion, increase community participation and/or will promote health and well-being in the community
- Activities pro-actively support wider social inclusion targets which may include such groups as:
    - Low socio-economic background
    - Over 60's years of age
    - Aboriginal and Torres Strait Islander
    - Culturally and Linguistically Diverse (CALD)
    - LGBTIQ+ people
    - Children Under 17 years of age
    - Physically and intellectually disabled
    - Female participation in sport

Leasing and Licensing of Council Owned Facilities Policy

Volunteer Management The organisation can demonstrate that it promotes, supports and develops volunteers
Environmental Initiatives The organisation can demonstrate that is promotes and implements environmental initiatives e.g. waste reduction, recycling, energy efficient practices including investments. e.g. solar panels

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

1. RATIONALE

Council provides an extensive range of facilities from multipurpose sites with playing fields, halls, community gardens, commercial, tennis and netball clubs, kindergartens etc. Leases or licenses are provided to a diverse range of organisations ranging from small community groups, sporting clubs, state government agencies to commercial entities.

The Policy provides guiding principles and statements that will form the negotiating position of Council as new leases are entered into for all organisations who occupy council owned facilities.

2. POLICY STATEMENT

City of Marion may lease or license Council owned or managed land to meet Council's strategic plans based on community priorities. The aim of the policy is to make land and building facilities available to groups or organisations on a fair and equitable basis to meet community needs and support the optimal use of facilities.

3. OBJECTIVES

The aim of the Policy is to ensure an equitable and consistent approach to leases and licenses which encourages high utilisation rates, diversity of use and supports organisations occupying Council facilities to be sustainable.

Council will endeavor to ensure facilities are fit for purpose and the term and conditions of leases are equitable, consistent, support good governance, accountability and optimise the use of Council facilities.

The following principles guide the provision and management of Council owned facilities:

Community Benefit & Social Inclusion:

- Ensure Council-owned facilities are used to meet demonstrated community needs consistent with Council's policies and the Community Vision
- Optimise use of Council's community facilities and provides equitable and inclusive access by the City of Marion community
- Support and encourage diversity of programs and activities offered from Council facilities
- Assist not-for-profit and volunteer-based organisations that offer activities and services in the City of Marion
- Encourage active and healthy lifestyles

Good Governance & Accountability:

- Ensure a transparent and equitable process of granting new leases or licences and renewals by having clear assessment criteria
- Ensure lessees pay fair and reasonable rentals based on established eligibility criteria and calculation methodologies

- Facilitate a shared approach between Council and lessee as to the cost of management and maintenance of Council-owned facilities;
- Ensure lessees are accountable for meeting operational responsibilities for venue management and meeting agreed targets
- Ensure sound financial management and effective administration of community facility leasing and licensing.
- Ensure that Council-owned facilities are appropriately maintained as Council assets

Environmental Sustainability:

- Ensure Council facilities maximise the use of solar, energy and water efficiency initiatives to reduce the environmental impact
- Encourage and support Lessees to implement environmental initiatives

4. POLICY SCOPE AND IMPLEMENTATION

Scope

This Policy applies to the leasing or licensing of Council owned or managed land and facilities.

Implementation

4.1 ELIGIBILITY FOR LEASE OR LICENCE

4.1 (a) Council will enter into a lease or licence agreement with a not for profit organisation, once the organisation can demonstrate its eligibility by meeting the relevant eligibility criteria to the reasonable satisfaction of Council Administration:

- It is a not for profit organisation under Australian tax office definitions
- It is an incorporated/legitimate body under the auspice of an incorporated body or under the auspice of an incorporated body
- It has an Australian Business Number (ABN)
- It is financially viable by providing 3 years of annual financial statements to Council (where applicable)
- It complies with relevant legislation and regulations governing its activities
- It is able to demonstrate it will meet a community need
- It has good governance capability

4.1 (b) Council will consider a lease or licence agreement, for a commercial organisation once the organisation demonstrates:

- It is able to demonstrate it will meet a community need
- It provides a financial benefit or return to Council
- It has the professional capacity and experience
- It does not generate income from gambling (including poker machines)

- It provides an economic benefit to the City of Marion

4.1 (c) Council will consider a lease or licence agreement with a school or kindergarten where:

- The use does not impact on the broader community needs or result in a facility being used beyond its capacity
- Consideration is given to a contribution to the maintenance of the facilities used by the school, the level of contribution reflecting the level of use
- Fees are consistent with ~~community~~ commercial fees, although a reduction ~~could~~ may be considered to reflect the school's socio economic status, contribution to the ongoing maintenance and capital
- A school, DECD or other education body have appropriately contributed to the capital development of the facility they will be provided with exclusive use
- The school or kindergarten has adequate insurance

4.2 ANNUAL FEE

~~Rent will be based on the market rate supplied by an external valuer appointed by Council. The fee will be provided to the organisation at the time of entering into a new lease or renewing the lease. Rent will increase annually by CPI and the market rate will be reviewed every 5 years.~~

~~Not for profit organisations will be eligible for up to 93% discount based on meeting the criteria for good governance, facility utilisation, social inclusion, volunteer management and environmental initiatives (refer Appendix 1).~~

~~Where a building is acquired by or gifted to Council consideration will be given to the terms of this arrangement when determining the annual fee. In this situation a contribution to the ongoing repairs, maintenance and renewal costs will be considered when determining the annual fee to ensure alignment with the market rate and subsidy.~~

~~A minimum fee of $300.00 (excluding GST) per annum shall be payable should the market rate and subsidy be calculated at less than $300.00.~~

Sporting & Community (Not for Profit) Agreements

Rents for Sporting and Community (Not for Profit) agreement holders will be charged on the following basis:

- The annual rent will be calculated at a rate of 7% of the 'market rent' in accordance with Council's asset valuation data.

- The rent will be fixed for the duration of the term (up to 5 years) and will be reviewed on renewal of the lease or at the 5 year point to the rate of 7% of the 'market rent' in accordance with Council's asset valuation data applicable at the time.
- Where separately metered, agreement holders will be responsible for 100% of the cost of utilities consumed (with the exception of water which will be as detailed in this policy).
- Council will not on-charge the costs of buildings insurance or Council Rates to Sporting and Community (Not for Profit) agreement holders.
- Where the agreement is for the shared use of a multiple occupancy facility, Council administration may choose to apply a grossed-up rent which will include an element for contribution for a share of the outgoings costs for the premises based on reasonable estimated usage.
- Sporting and Community (Not for Profit) agreement holders will be required as a term of their agreement to meet Key Performance Outcomes (outlined in the Guidelines Procedure), and to provide evidence of meeting these outcomes on an annual basis, together with any other compliance documentation required by Council.
- A minimum fee of $300.00 (excluding GST) per annum shall be payable should the discounted rent be calculated at less than $300.00

Commercial Agreement Rent/Fees

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Commercial Agreements will generally have a market rent or fee set to provide a commercial return to Council, however in selecting a commercial lessee, Council will have regard to how the proposed use or business will contribute to the delivery of the Strategic Plan and the likely impact or benefit to the community. This may affect the level of rent applied and would be subject to a Council resolution. Council will recover outgoings and legal expenses where applicable, in accordance with any restrictions imposed by the Retail and Commercial Leases Act 1995. Council Rates will be applicable for commercial lease agreements.

Rent Arrears and Non-Compliance

Where an agreement holder is in arrears with their invoiced rent and / or outgoings liabilities by a period of 120 days or more, or where an agreement holder has not supplied all required Key Performance Outcomes evidence (or subsidy information if on an historic agreement) and other required compliance documentation to Council within 120 days of an annual written request, then Administration will provide a report to Council at the next available General Meeting, subject to agenda preparation deadlines in place.

4.3 TERM OF AGREEMENT

Terms of agreement will not be greater than 5 years unless Council resolves to grant a longer term lease. ~~In these circumstances consideration will be given to developing a management plan in partnership with the organisation which seeks to develop the facility long term.~~

Where a lease or licence is to be granted for greater than 5 years and is located on Community Land community consultation will be undertaken in line with the Local Government Act 1999.

Where the term of the lease or licence is to be less than 5 years, and Section 20B of the Retail and Commercial Leases Act 1995 applies, the Lessees or Licensee shall be required to provide Council with a certificated exclusionary certificate duly signed by the Lessee's or Licensee's solicitor waiving the minimum statutory term of five years in the form required by the Act.

This certificate must be provided to the Council prior to the Lessee or Licensee taking possession of the premises.

4.4 MAINTENANCE, REPAIRS AND REPLACEMENTS

A comprehensive list of building items will be provided to organisations ~~when providing a Letter of Offer~~ in the form of a Maintenance Schedule Annexure to the agreement which will clearly set out responsibilities. Council will take responsibility for structural items in buildings this will include items relating to footings, floor (not including coverings), walls (not including applied finishes), roof members and cladding and provision of services to the external walls.

4.5 UTILITIES, OUTGOINGS AND WASTE DISPOSAL

Organisations will be responsible for the cost of all utilities, outgoings and waste disposal associated with their operations.
Council will work with organisations to assist them to implement environmental initiatives such as waste reduction, recycling and energy efficient practices.

4.6 WATER USAGE

4.6 (a) Buildings

Where the lease or licence refers only to a building and there is no open space attached to the leased or licensed area then the Lessee/Licensee shall be responsible for the payment of all water and sewer charges levied against the leased area.

4.6 (b) Open Space

Where there is an associated playing field that is accessible to the general community the lessee/licensee will be responsible for 10% of the cost of the water used. Where the facility is fenced or not accessible to the community the lessee / licensee shall be responsible for the payment of all water and sewer charges levied.

Council encourages water conservation techniques and when considered appropriate shall place a cap on the amount contributed by Council. The amount of the cap shall be determined at the time of negotiating a lease or licence by Council. Access to stormwater reuse will be encouraged.
Where there are shared meters on the site consideration will be taken on community access to the site and the proportion will be negotiated with the organisation to ensure it is in line with like facilities.

4.7 SPORTING GROUNDS AND COURTS

Council maintains playing fields that are open to the public for passive recreational activities. There are some circumstances where Council may negotiate with a Club to take on the responsibility of maintaining sporting grounds which are specialist in nature such as bowling greens.

Council will work in partnership with tennis and netball clubs, peak bodies and other funding organisations when courts are required to be resurfaced. Clubs will be expected to contribute funds either through a combination of club funds, external grants or a loan from Council. In determining the club contribution consideration will be given where courts are made available for community use.

4.8 FLOOD LIGHTING

Council will be responsible for the regular inspecting of light poles and ensuring they are maintained; lessee and licensees will be responsible for the replacement of lamps.

Should a lessee/licensee seek to install new lights, they will be expected to make a financial contribution. Council will work in partnership with the lessee to seek external funding and/or negotiate a Council loan.

4.9 SUB-LETTING OR HIRING OUT OF LEASED FACILITIES

It will be a condition of the lease that all sub-letting arrangements will be in line with this Policy and that lessees must seek Council approval to the terms and conditions prior to sub- letting.

Where an organisation enters into a sub-licence for part or all of the premises to another club or a commercial activity, Council reserves the right to assist the sub-tenant in negotiating a sub-licence fee based on the nature and quantum of the sub-licence.

Clubs are encouraged to hire out facilities to maximise the use of the facilities and to generate income to support them to be sustainable. It is expected that these rates do not exclude the community from being able to access them due to the cost.

4.10 HARDSHIP

Where a Lessee/ Licensee is able to produce evidence that the fee will cause undue hardship (after subsidies are applied) then the Lessee or Licensee can make an application to Council seeking deferment ~~or reduction~~ of payment.

The City of Marion is under no obligation to accept such a request and will make its decision based on the financial position of the lessee or licensee at the time of making the application.

4.11 GAMING MACHINES

Council does not support the introduction or increase of gaming machines in premises on Council owned land for any new Lessee or Licensee.

4.12 POLITICAL SIGNS

Advertising of political parties, Member of Parliament, Elected Members and candidates for Parliament/Council be prohibited on Council owned premises.

4.13 LIQUOR LICENSE SUPPORT REQUESTS

Where agreement holders wish to apply for a new Liquor Licence, or apply for an amendment to an existing Liquor Licence, landowner consent and support will be required to be sought from Council. Requests will be assessed in accordance with Council's Liquor Licence Support Procedure.

Transitional Arrangements

The provisions of this Policy shall not apply to any existing leases or licenses to the extent that the provisions contained herein are not in accordance with the original agreement. When the renewal of that lease or licence is negotiated the provisions of this Policy will be applied fully.

Where no formal arrangement exists then the provisions of this Policy will be applied to negotiate a formal lease or licence is negotiated the provisions of this Policy will be applied fully.

Where no formal arrangements exists then the provisions of this Policy will be applied to negotiate a formal lease or licence at the earliest opportunity.

5. DEFINITIONS

Term	*Definition*
Community Buildings	Buildings primarily available to facilitate community activities inline with Council's corporate strategies and community land management plans.
Community Club or Organisations	Organisations that are incorporated for the benefitof the community and any profit is distributed back into the facility and does not restrict its services to its members and provides one or more
Incorporated Body	Any Committee or Organisation that is incorporated under the Associations Incorporation Act 1985

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

Term	Definition
Lease	Such agreements shall be used where the occupier has full and exclusive use ofthe premises.
License	Such agreements shall be used where the occupier does not have full andexclusive use of the premises
Maintenance	Means that facilities are maintained; in good repair and condition; conformto relevant legislation and codes; are free of graffiti and other acts of vandalism; and includes preventative maintenance approaches.
Non-community organisations	Organisations that are specifically a 'business' and are in business for the purpose of making a profit or which are so constituted that the assetsmay be distributed amongst the members of the organisations.
Open space	is leased outdoor facilities which is available for community use outside formal sporting use excluding sport related facilities such as clubrooms, storage sheds

6. ROLES AND RESPONSIBILITIES

Role	Responsibility
Unit Manager Land & Property	• Overall responsibility for ensuring compliance with this Policy.
Senior Property Officer	• Ensure documentation and responsibilities are compliant with this Policy, including inspections undertaken and compliance documentation provided. Reporting on arrears and non provision of requested compliance documentation to Council.
Property Officer	• Ensure documentation and responsibilities are compliant with this Policy, including inspections undertaken and compliance documentation provided.

7. REFERENCES

City of Marion

- Asset Management Plans
- Asset Management Policy
- City of Marion Community Vision – Towards 2040
- City of Marion ~~10 Year~~ Strategic Plan 2019-2029~~(under revision)~~
- City of Marion Community Facilities Strategy – (under development)
- City of Marion ~~3 Year~~ Business Plan ~~2016-2019~~2019-2023
- ~~City of Marion Development Plan~~

- City of Marion Long Term Financial Plan
- ~~Community Consultation and Engagement Policy~~Public Consultation Policy and Public Consultation Procedure
- ~~Asset Management Plans~~
- Community Land Management Plans
- Disposal of Land and Assets Management Policy
- Irrigation Management Plan
- ~~Asset Management Policy~~
- ~~Disposal of Land and Assets Policy~~
- ~~Community Consultation and Engagement Policy~~
- ~~Liquor Licensing Policy~~

Other

- Associations Incorporation Act 1985
- Development Act 1993
- Disability and Discrimination Act 1992
- Gaming Machines Act 1992
- Law of Property Act 1936
- Liquor Licensing Act 1997
- Local Government Act 1999
- Planning, Development and Infrastructure Act 2016
- Real Property Act 1886
- ~~Law of Property Act 1936~~
- Retail and Commercial Leases Act 1995
- ~~Associations Incorporation Act 1985~~
- ~~Disability and Discrimination Act 1992~~
- ~~Gaming Machine Act 1992~~
- ~~Liquor Licensing Act 1997~~
- ~~Development Act 1993~~

8. REVIEW AND EVALUATION

This policy will be reviewed by Council every four years in accordance with the City of Marion Policy Framework or sooner if required.

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

~~Annual Fee – Subsidy Criteria~~Key Performance Outcom~~e~~es for Sporting and Community (Not for Profit) Organisations

~~Annual lease/licence fee will be calculated at up to 93% of the market rental rate of the leased area/s. Council will offer the following subsidies on the annual fee for not for profit organisations.~~It will be a condition of Lease & Licence Agreements to sporting and community organisations that the below Key Performance Outcomes are evidenced to Council on an annual basis.

Good Governance

The organisation can demonstrate:

- Compliance with conditions of current or previous lease/licence agreements with Council
- Provision of Annual General Meeting reports and minutes including financial reports (to be audited upon request)
- Financial viability, have not incurred a debt with Council and have repaid any loans to Council in line with the loan agreement
- Quality Management is integrated into operations - capacity building, good governance and planning etc., evidenced through provision of an annual business plan, current constitution, policies and procedures etc.

Facility Utilisation

The organisation is able to:

- Provide evidence of membership/user/participant numbers and hours of use on an annual basis.
- Provide evidence of activities and initiatives undertaken to increase the utilisation of the facility
- Initiatives planned to increase use or participant numbers
- Evidence of shared use of the facility by the community and other community clubs and organisation to ensure optimal use of the facility.

Social Inclusion

The organisation can demonstrate:

- The activity or service they provide is non-discriminatory and is open to all residents who meet stated criteria for participation.
- The use of the facility will increase social inclusion, increase community participation and/or will promote health and well-being in the community
- Activities pro-actively support wider social inclusion targets which may include such groups as:
  - Low socio-economic background
  - Over 60's years of age
  - Aboriginal and Torres Strait Islander
  - Culturally and Linguistically Diverse (CALD)
  - LGBTIQ+ people
  - Children Under 17 years of age

Leasing and Licensing of Council Owned Facilities Policy

CITY OF MARION

○ Physically and intellectually disabled ○ Female participation in sport
Volunteer Management The organisation can demonstrate that it promotes, supports and develops volunteers
Environmental Initiatives The organisation can demonstrate that is promotes and implements environmental initiatives e.g. waste reduction, recycling, energy efficient practices including investments. e.g. solar panels

Attachment 2 – Extract from Executive Summary of KPMG Audit

Our observation of the CoM's fee model, the 'Percentage of Market Value' fee model, is that the subsidy process applied to the model is highly administrative compared to other councils. Specifically, the subsidy scheme, which provides a discount on the stated lease fees, involves a highly manual documentation intensive process performed annually to assess, calculate and manage this model. Other alternative models identified from our benchmarking research were noted as providing a similar alignment to the CoM's strategic objectives for community clubs whilst reducing the administrative requirements to manage these models by the Council.

Overall, our key observations were:

- Gaps were identified in the areas of managing tenant obligations related to rent subsidy application processing and enforcing the provision of required supporting documentation.
- Opportunities were identified to provide further guidance in relation to supporting processes, such as on-going inspections.
- Overall, the management of the CoM's community facilities was noted to be more manual and labour intensive compared to other councils, due to a lack of a supporting leasing system.

A number of positive observations were identified during the course of this internal audit, and are summarised below:

- Progress has been made regarding improving the management of ensuring critical compliance obligations by tenants have been completed. This includes improvements in the provision of key tenant documentation, including relevant insurances. However, it was observed that further implementation of a supporting system could remove highly manual elements of this process and may help to identify and address any potential future lapse in compliance by tenants.
- The CoM utilised an additional staff member from existing resourcing this year, which has resulted in the significant improvement in a number of community facility tenants now having active and updated tenancy agreements in place.
- A number of future initiatives to improve the management of tenants have been identified. These improvements have been facilitated through the collaborative model, including a member of another council stepping into the role of the Unit Manager Land & Property.

Attachment 3 – Example of Key Outcomes form City of Port Adelaide Enfield Lease Template

ANNEXURE B

KEY OUTCOMES

The Premises and the Licence Area are community assets. The grant of rights under this agreement to both lease the Premises and occupy the Licence Area are subject to and conditional upon the Lessee demonstrating to Councils' reasonable satisfaction that the Key Outcomes (as reviewed and updated from time to time) are being sought to be achieved for the benefit of the community.

The City of Port Adelaide has a long and rich sporting history. Sport and Recreation plays a significant role in the community and it is recognised that the fundamental role sport has in the life, health and well-being of our community.

Recently Council developed a Sports Development Plan in consultation with its sporting community. It's vision 'A diverse community that is supported and encouraged to lead active and healthy lifestyles through provision of a sustainably managed and fit for purpose network of quality sports facilities, clubs and programs.

With over 140 sporting clubs across 50 + sporting sites, the Sports Development Plan requires a partnership between Council, its clubs and the broader sporting community to support its vision.

The following principles have been established to support this and we encourage all sporting stakeholders across the City of Port Adelaide Enfield to utilise this when planning for their clubs future.

Sport development is more than just the physical facilities. Our aim is to work in partnership with our sporting community through club development, programs and training opportunities to help clubs grow, remain financially sustainable so that more people within our community can participate and benefit from sport.

Facilities

The facilities component includes:

- Planning (strategies, feasibility studies, master plans)
- Delivery (upgrades, new facilities, consolidation)
- Management & maintenance (including leasing)

Clubs

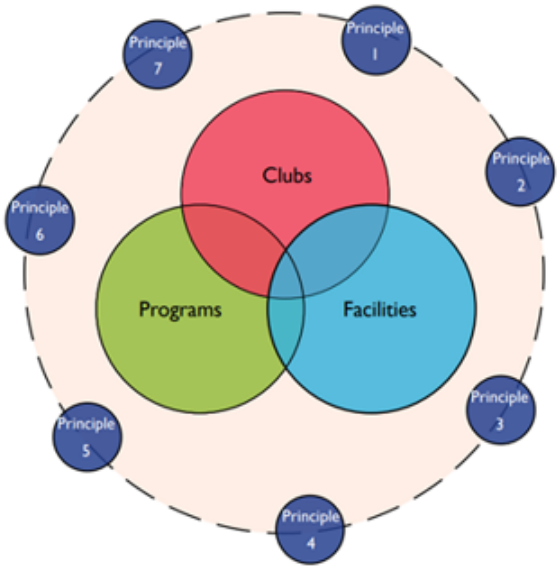
The clubs component includes:

- Club development
- Communication and engagement
- Volunteering
- Partnerships
- Training and development

Programs

The programs component includes:

- Inclusion and participation
- Events, programs and services
- Resourcing
- Pathways



Principles

The following principles have been developed to guide the development, future provision and management of sport in the City of Port Adelaide Enfield. These incorporate directions of peak sporting bodies and Government (Federal, State and Local) policies and have been formulated through consultation with local sports clubs, Elected Members and the community.



Principle 1 - Maximum Community Participation

- Sports facilities, clubs and programs offer a range of accessible sporting opportunities targeted to the needs of our diverse community and deliver associated health benefits to all people regardless of age, cultural background, socio-economic status or ability
- Focus is primarily on delivering grassroots and local community-based sports facilities, clubs and programs that maximise community participation and support pathways to elite sport



Principle 2 - Shared Sports Precincts And Community Hubs

- Where appropriate and practical, facilities are clustered and co-located with compatible users to optimise use whilst maintaining club identity and individual club needs through adaptable and flexible building and sports ground designs



Principle 3 - Sustainability

- Sports facilities, clubs and programs effectively integrate long and short-term economic, environmental, social and cultural considerations
- Sports facilities are strategically considered and aligned with Council strategies to meet current and future community needs and provide value-for-money



Principle 4 - Partnerships

- Collaborative approaches are used to plan, deliver and manage sports facilities and programs with the community, government, sports clubs, sports associations, educational institutions and private sector
- Partnerships are utilised to achieve community outcomes beyond sport



Principle 5 - Working Together With Our Clubs & Community

- Clubs and the wider-community are effectively engaged in the planning and design of sport facilities
- An inclusive sport culture is achieved through club development programs, positive relationships and provision of facilities that support opportunities for all



Principle 6 - Placemaking

- Placemaking approaches are used to achieve quality places for sport that are based on best-practice and informed by the community
- Sport and sports events are used to assist in activation and placemaking initiatives, responding to characters, identity and natural assets of the City.



Principle 7 - Effective Management & Maintenance

- Facilities are managed and maintained in a manner that promotes safe condition, minimises financial liability and complies with relevant legislation, policies and standards

Wording Included in Agreement Schedule

2. Key Performance Indicators

The Lessee will provide to the Lessor annually on the anniversary of the Commencement Date during the Term a report with evidence to verify their performance and achievements against the Key Outcomes and Principles outlined in Annexure B

11.3 Policy Review - Encumbrances for the City of Marion Policy	
Report Reference	GC211214R11.3
Originating Officer	Unit Manager Land and Property – Michael Collins
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

The purpose of this report is to seek endorsement to rescind the Encumbrances for the City of Marion Policy following a review at the Elected Member Forum on 16 November 2021.

REPORT HISTORY

Report Reference	Report Title
EMF211116R1.3	Policy and Policy Framework Review

EXECUTIVE SUMMARY

The Encumbrances for the City of Marion policy is governed by the *Real Property Act 1886* under which the Chief Executive Officer has delegation to discharge encumbrances. Following discussions at the Elected Member Forum on 16 November 2021, it is recommended that this policy be rescinded and replaced with a procedure.

RECOMMENDATION

That Council:

1. **Rescind the Encumbrances for the City of Marion Policy, noting that it will be made into a procedure.**

ATTACHMENTS

1. Encumbrances for the City of Marion Policy [**11.3.1** - 3 pages]

Encumbrances for the City of Marion Policy

1. POLICY STATEMENT

Obligations or restrictions have been placed on the owners of privately owned land regarding construction on or development, management or conservation of their land, to ensure a particular outcome for the locality, by the registration of Encumbrances in favour of the City of Marion on the Certificates of Title. For example, the height of fences, materials used for fencing, sheds, windows (noise reduction), prevention of further land divisions. These types of restrictions are now dealt with by way of Land Management Agreement, subject to the provisions of the Development Act 1993.

Encumbrances have traditionally been used to establish and maintain a standard of development in a group of properties.

At this stage, 171 Encumbrances to the City of Marion have been identified that effect 35,000 residential properties in the Council area.

2. OBJECTIVES

The objectives of this policy are to ensure that the City of Marion has clear guidelines and principles that relate to dealings with privately owned land that is subject to Encumbrances in favour of the City of Marion.

This policy does not apply to statutory encumbrances as defined by the Real Property Act 1886.

3. POLICY SCOPE AND IMPLEMENTATION

Consent

An owner of land that is subject to an Encumbrance must seek the Encumbrancee's Consent to certain dealings with the land, ie: a land division or surrender of lease. In the case of a boundary re-alignment where only one allotment is subject to the Encumbrance, the Encumbrance needs to be either partially released from or extended, so that the whole of the new allotments are either subject to or discharged from the Encumbrance.

Sale of Land

In the event of the sale of land, which is subject to an Encumbrance, depending on the terms and conditions contained in the Encumbrance, the existing Encumbrance may need to be discharged and a new Encumbrance on the same terms and conditions lodged for registration in the name of the new owner (lift or replace). The Discharge of Encumbrances and the new Encumbrance are lodged for registration at the Lands Titles office at the same time as the Transfer to the new owner. The new owner pays all costs. Some properties are transferred "subject to" the existing Encumbrance and no action is required from the Council.

City of Marion 245 Sturt Road, Sturt SA 5047
PO Box 21, Oaklands Park SA 5046
T 08 8375 6600
F 08 8375 6699
www.marion.sa.gov.au

Category: Public
Owner: Manager City Development
Authorisation Date: October 2014
Review Date: GC080818

Encumbrances for the City of Marion Policy

Upon the sale of land where Council is requested to "lift and replace", Council's position is strengthened as opposed to when land is transferred "subject to" an existing Encumbrance.

Discharge of Encumbrance

Where it is identified that the Encumbrance is no longer relevant, ie; where the Encumbrance was entered into as an interim planning measure and the Local Government Planning provisions have since been updated, the Encumbrancee may discharge the Encumbrance. In this case, the Encumbrancee would need to be satisfied that the benefit derived from the Encumbrance has been satisfied or is no longer relevant.

Encumbrances have been registered traditionally to establish and maintain uniformity of development and maintaining a certain standard within the area or sub-division. Where one property is released from the Encumbrance without the consent of all other owners, Council may be at risk of legal action.

It would be a substantial exercise for Council to obtain the permission of every land owner in the development to discharge the Encumbrance.

When Council is requested (by an owner) to discharge an Encumbrance over one Certificate of Title, where the Encumbrance is (or encumbrances on the same terms and conditions are) over several Certificates of Title in the same locality, Council should seek legal advice and assess the request on a case by case basis.

Surrender of Lease

Upon consenting to a Surrender of Lease or a Land Division, there is little or no risk to Council, provided that the Encumbrance will remain registered on the Certificate/s of Title.

Conclusion

All documents that relate to the dealing with land come under the provisions of the Real Property Act 1886, the Strata Titles Act 1988 and the Community Titles Act 1996. The Registration of these documents are administered by the Registrar General.

Most land sales and land divisions are critical in terms of timing and to expedite the settlement process and avoid delays, it would be beneficial for documents to be signed under delegation by authorized delegates.

All Real Property Act documents signed on behalf of Local Councils by authorized delegates will be accepted for registration by the Registrar General.

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Authorisation Date: October 2014
Review Date: GC080818

Encumbrances for the City of Marion Policy

Council's Schedule of Delegations and Sub-delegations (as amended from time to time) details the documents that may be signed by an authorized delegate or sub-delegate.

4. DEFINITIONS

A **Certificate of Title** is a document or certificate issued pursuant to any of the Real Property Acts which certifies that the person named therein as the registered proprietor is the owner of the land and sets out all Mortgages, Encumbrances, Easements, Caveats, Liens and other interests in the land. For the purpose of this Policy, "a Certificate of Title" shall include a Certificate of Title for a community lot, community strata lot, development lot or common property in a Community Plan (Community Title), a strata unit (Strata Title), a lease of Crown land (Crown Lease) and a computerised record of unalienated Crown Land (Crown Record).

An **Encumbrance** is a claim, restriction or liability against real property (land) which is usually registered on the Certificate of Title. An Encumbrance can restrict the owner's ability to transfer the land and may affect its value.

The **Encumbrancee**, for the purposes of this Policy, is the City of Marion, being the "owner" of the Encumbrance.

The **Encumbrancer**, for the purposes of this Policy, is the land owner.

Lift and replace is the term used when an Encumbrance is discharged and a new Encumbrance on the same terms and conditions is lodged for registration in the name of a new owner.

The **Registrar General** is the Government representative who is responsible for the administration of the Real Property Act 1886.

5. REFERENCES

- Land Services Group
- Local Government Act 1999
- Real Property Act 1886
- Strata Titles Act 1988
- Community Titles Act 1996
- Local Government Association (www.lga.sa.gov.au)

6. REVIEW AND EVALUATION

Policy to be reviewed in 2018

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T 08 8375 6600
F 08 8375 6699
www.marion.sa.gov.au

Category: Public
Owner: Manager City Development
Authorisation Date: October 2014
Review Date: GC080818

11.4 Policy Review - Social Media Policy	
Report Reference	GC211214R11.4
Originating Officer	Digital Communications Coordinator – Melanie Stewart
Corporate Manager	Manager Customer Experience - Megan Bradman
General Manager	General Manager Corporate Services - Sorana Dinmore

REPORT OBJECTIVE

The purpose of this report is to seek endorsement of the updated Social Media Policy following a review at the Elected Member Forum on 16 November 2021.

REPORT HISTORY

Report Reference	Report Title
EMF211116R1.3	Policy and Policy Framework Review - Social Media Policy

EXECUTIVE SUMMARY

The Policy Framework was presented to Elected Members at the Elected Member Forum on 16 November 2021 (EMF211116R1.3). The draft Social Media policy (the policy) was considered as part of this item.

Elected Members provided feedback on the draft policy. The following amendments have been made to the draft Social Media policy to reflect feedback received at the EM forum:

- amendment to Section 4 to remove the reference to Elected Members.
- amendment of clause 4.2, relating to personal use of social media, to:
    - confine the application of the policy to confidential information only, viz, *"when using social media for personal use, staff must never disclose or comment on **confidential** information about the City of Marion, Council or its operations that has been acquired through their position in Council."*
- amendment of clause 4.4, relating to inappropriate or irrelevant social media content, to:
    - remove the reference to Elected Members.
    - remove political lobbying as an example of inappropriate content.
    - remove "*content that breaches the privacy of another person by posting images, recordings or personal information without consent*" and replace with: *"content that breaches a person's privacy or personal details e.g. phone number, without consent".*

RECOMMENDATION

That Council:

1. **Endorses the draft Social Media Policy.**

ATTACHMENTS

1. Attachment 1 Social Media Policy Reviewed TRK CHNG 1 Dec 2021 [**11.4.1** - 11 pages]
2. Attachment 2 Social Media Policy Reviewed CLEAN 6 Dec 2021 [**11.4.2** - 8 pages]

Social Media Policy

1. RATIONALE

Social ~~media~~ Media has become an integral part of how we communicate with each other in a modern world. ~~Participating~~ Social Media~~online~~ provides the City of Marion ~~Council~~ with an unprecedented opportunity to safely connect with our community, engage in meaningful conversations and dialogue, ~~with our community in a professional and respectful manner.~~ and keep people up-to-date with the latest news, events and initiatives.

~~The use of s~~Social ~~m~~Media contributes to the achievement of the following strategic objectives as outlined in the ~~*Council's*~~*City of Marion Strategic Plan 2019-2029*:

E1 We will increasingly use data and community responses to understand our community values and then we will deliver what they want.

E4 We will ensure our community is well informed about the services we provide.

I1 We will use the best technology possible to improve efficiency of our operations and delivery of our services.

I3 We will use technology and Ssocial ~~m~~Media to improve our sharing of information.

I4 We will use technology to better engage with our communities, understand their needs and seek their feedback.

~~Social media can:~~

- ~~Increase the community's access to Council~~
- ~~Increase Council's access to the community and improve the accessibility of Council communication~~
- ~~Increase the level of trust in Council~~
- ~~Allow Council to be more active in its relationships with residents, partners, and other stakeholders~~
- ~~Reach targeted audiences on specific issues, events, and programs~~
- ~~Provide effective, fast communication channels during crises~~
- ~~Provide insights into how Council is perceived~~

2. POLICY STATEMENT

The City of Marion ~~recognises~~ uses Social Media as a safe and effective tool to engage and communicate with the community and reach targeted audiences on specific issues, events, and initiatives.~~the opportunity to enhance meaningful two-way communication and community engagement through effective use of social media.~~

All Social Media usage and content published by or on behalf of the City of Marion:~~This policy guides all social media activity managed by the City of Marion Council, acknowledging that~~

Social Media Policy

~~any legislative requirement which affects Council will take precedence over Council's policies and procedures.~~

- complies with third-party platform terms of service and community guidelines, and all local, state, and federal laws and regulations;
- is accurate, relevant and appropriate; and
- upholds the highest standards of behaviour, integrity and professionalism.

~~This policy is intended to align with existing Council policies, including the Staff Code of Conduct.~~

~~This policy should be read in accordance with the *Social Media Procedure* and relevant documentation.~~

3. OBJECTIVES

The primary objectives of this Policy are:

- To increase community access to Council and Council's access to the community.
- To communicate quickly and safely with the community and reach targeted audiences on specific issues, events, and initiatives.
- To actively engage with the community and improve relationships with residents, partners and stakeholders.

~~The use of social media links to the following strategic objectives as outlined in Council's Strategic Plan 2019-2029:~~

~~**E1** We will increasingly use data and community responses to understand our community values and then we will deliver what they want.~~

~~**E4** We will ensure our community is well informed about the services we provide.~~

~~**I1** We will use the best technology possible to improve efficiency of our operations and delivery of our services.~~

~~**I3** We will use technology and social media to improve our sharing of information.~~

~~**I4** We will use technology to better engage with our communities, understand their needs and seek their feedback.~~

4. POLICY SCOPE AND IMPLEMENTATION

Scope

Social Media Policy

This ~~policy~~ Policy applies to all Social Media activity and accounts ~~outlines our approach to official social media use by employees, and to public conduct on all of council's third-party social media sites~~for the City of Marion.~~.~~

This Policy also comes into effect if the personal use of Social Media by Staff ~~or Elected Members~~:

- references the City of Marion or relates to Council business or operations
- contains inappropriate content (refer section 4.4)
- damages or defames (or has the potential to damage or defame) the City of Marion, Council Staff or Elected Members.
- ~~Where staff refer to City of Marion in their personal accounts, this policy will come into effect.~~

~~This policy does not apply to Elected Members' personal use of social media, provided that the City of Marion is not referenced in a manner which damages, or has the potential to damage, the Corporation, or defames Elected Members or staff. In this event, this policy will come into effect.~~This Policy must be read in conjunction with the *Social Media Procedure* and applicable Code of Conduct.

Implementation

4.1 City of Marion ~~content requirements:~~social media

Use of social media

The City of Marion uses Social Media to:

- ~~Maintain accounts for target audiences where positive social media engagement might be most successful~~
- ~~Regularly maintain and monitor the accounts to ensure content is published on a regular basis; enquiries are responded to in a timely manner; and any inappropriate use of the account is dealt with appropriately~~
- ~~Regularly c~~Communicate and promote City of Marion news, initiatives, and events; ~~-~~ and actively listen to ~~the~~ community~~'s~~ views.
- ~~Raise~~ Raise the profile and public awareness of ~~council~~ Council business, services, public resources, and facilities.
- ~~Provide more opportunity for timely~~Quickly ~~responses~~ respond to relevant customer ~~enquiries, and~~enquiries and provide timely referrals to other communication methods if needed, particularly other digital tools and online services such as the website.

Social Media Policy

- ~~Increase~~ Increase access between the City of Marion and the community, especially with different audiences who may not receive messages through traditional channels, such as young people and people who are housebound.
- ~~Strengthen~~ Strengthen the City of Marion's reputation as being responsive, consultative, participatory, and transparent.
- ~~Develop~~ Develop and manage an online community that is a safe and respectful place where members are encouraged to communicate and interact with City of Marion and each other, without any defamatory or inappropriate content.
- I~~Involve~~ nvolve the community in strategic direction and planning processes by promoting community consultation projects and engagement opportunities to seek public opinion.
- I~~dentify~~ dentify issues circulating in the community.
- P~~Promote~~ romote local businesses, organisations, and events ~~that are~~ located within the City of Marion and local catchment area that may be of interest to the local community, in accordance with the advertising principles in the *City Limits Publications Policy* ~~*Advertising Principles*~~.

  Note: Promotion is at the absolute discretion of the City of Marion.
- Promote City of Marion ~~social~~ Social ~~media~~ Media ~~accounts~~ Accounts ~~should actively promote~~and other ~~council~~ Council accounts by sharing posts or mentioning ~~each~~ other accounts where possible.

Social media accounts

The City of Marion opens and m~~M~~aintains Social Media A~~a~~ccounts ~~for target audiences where~~to positively engage and communicate with target audiences in the community. ~~social media engagement might be most successful~~

Approval is required from Manager Customer Experience to open or close Social Media Accounts for the City of Marion.

Social media publishers

Social Media Publishers are appointed to Social Media Accounts and assigned responsibility for creating, publishing and managing account content. ~~Regularly maintain and monitor the accounts to ensure~~

- ~~content is published on a regular basis; enquiries are responded to in a timely manner; and any inappropriate use of the account is dealt with appropriately~~

4.2 ~~Staff~~ Staff use of social media ~~(personal):~~

Use of social media whilst at work

Social Media Policy

~~Employees~~ Staff ~~are permitted to~~may access Social Media Accounts ~~social networking sites~~ whil~~s~~te at work to perform assigned duties and when contributing to the achievement of City of Marion ~~Council~~ goals and objectives.~~, and when appropriate, for personal undertakings in accordance with the Acceptable Use Policy.~~

Staff may access Social Media in a personal capacity whilst at work subject to the *Acceptable Use Policy*.

~~*Employees who are residents, ratepayers or customers of Council services are not precluded from participating in community debate about an issue that personally affects them.*~~

Personal use of social media

~~Staff are accountable for all content posted, shared, liked or endorsed in a personal capacity on Social Media.~~

~~Where an employee's personal use of social media relates to the business of Council, its operations, or other Council related information, that use is governed by *Council's Code of Conduct*.~~ Staff who are residents, ratepayers or customers of Council services may participate in community debate about an issue that personally affects them. ~~Employees~~ Staff must make it clear that ~~they are commenting as a resident / ratepayer,~~ any comments posted on the issue are purely personal and do not represent the views or official position of Council or the City of Marion~~as a Council employee. It is important that readers of posts do not misconstrue personal comments as representing an official Council position~~.

~~Employees~~ When using ~~social~~ Social ~~media~~ Media for personal use, Staff ~~should~~ must never disclose~~,~~ or comment on~~,~~ confidential information ~~regarding~~ about the City of Marion, Council or its operations that has been ~~as a result of knowledge that has been~~ acquired through their position in Council.

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Social Media Policy

4.3 ~~Public~~ User ~~comment requirements:~~posts on City of Marion social media accounts

User conduct

The City of Marion encourages open conversation and debate, and ~~We~~ welcomes ideas, questions, complaints, and feedback via ~~the City of Marion's~~its ~~social~~ Social ~~media~~ Media ~~accounts~~ Accounts~~and encourage open conversation and debate~~.

U~~However, it is expected that u~~sers ~~will~~ are expected ~~behave~~ to:

- comply with third-party platform terms of service and community guidelines, and all local, state, and federal laws and regulations
- communicate and behave in a respectful and ~~n~~ appropriate ~~and respectful way~~ manner
- ~~and~~ not post or publish inappropriate or irrelevant ~~any~~ content ~~that is considered defamatory or inappropriate~~.

~~**If a user does not use Council social media accounts as expected – or fails to comply with a third-party platform's terms of service and community guidelines, and all local, state, and federal laws and regulations - City of Marion reserves the right to remove any inappropriate posts or block a user in order to maintain a safe and respectful online community.**~~

Disclaimer

The City of Marion does not warrant the accuracy of user content posted on its Social Media Accounts. Any content, comments, views or opinions posted by users may not necessarily represent the views or official position of Council or the City of Marion.

4.4 Inappropriate or irrelevant social media content

For the purpose of this Policy, inappropriate or irrelevant Social Media content includes but is not limited to:

- racist, sexist or sexual content
- threats or abuse
- bullying or harassment
- offensive or obscene content or profanity
- derogatory or defamatory content
- unlawful or discriminatory content
- ~~content that breaches the privacy of another person (e.g. posting identifying images, recordings or personal information without taking reasonable steps to gain consent)~~content that breaches a person's privacy or personal details e.g. phone number, without consent

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Social Media Policy

- content that is confidential or subject to copyright or intellectual property that is posted without consent
- political lobbying or anti-social content
- spam, junk or advertising
- content relating to a third party not affiliated or connected with the City of Marion
- content that does not relate to the City of Marion or Council business
- content that is not suitable for a community of all ages
- any other content that the City of Marion / Council deems inappropriate or irrelevant.

~~Opinions expressed by external parties on the City of Marion's social media platforms do not necessarily represent the official views of the City of Marion, nor does the City of Marion confirm their accuracy.~~4.5 Policy breaches or non-compliance

Staff

Staff who fail to comply with this Policy may be deemed in breach of the *Staff Code of Conduct* and be subject to performance counselling and/or disciplinary action. Depending upon the seriousness of the matter, this may include suspension or termination of employment as approved by the Chief Executive.

Third party users

The City of Marion reserves the right to remove inappropriate or irrelevant content posted on its Social Media Accounts or block a user who fails to meet conduct expectations in order to maintain a safe and respectful online community.

~~*Elected Members*~~

~~Elected Members who fail to comply with this Policy when using Social Media in a personal capacity may be deemed in breach of the *Code of Conduct for Council Members* and be subject to appropriate action under the Code.~~

5. DEFINITIONS

Term	*Definition*
~~*Account*~~	~~A profile on a single social media platform.~~
City of Marion/Council	The Corporation of the City of Marion Council and its Elected Members, staff, policies, services, suppliers, stakeholders, or any other council related issues.
Community	People who live, work, study, conduct business and use the facilities or public places in the City of Marion.

Social Media Policy

Term	Definition
Content	Words, imagery, videos or web links published to ~~an~~ a social media account.
Local catchment area	City of Marion and surrounding council areas from where visitors or customers travel, including Holdfast Bay, West Torrens, Unley, Mitcham and Onkaparinga.
Publish	The uploading of content to ~~an~~ a social media account, such as a status update, comment, post, tweet, photo, video or link.
Social media	Web-based tools and smartphone applications that allow users to easily connect and communicate with each other as well as publish, share, and discuss information content such as text, photos, video, and audio. Social media websites are characterised by interaction, collaboration, and user-generated content, with a focus on building online communities of people who share interests and/or activities.
Social media platform	Means a third-party online tool used for communication, promotion and conversation including, but not limited to, Facebook, Instagram, LinkedIn, YouTube, and Twitter.
Social media account	Includes an account, profile, page, group, chat group, channel, platform, company, presence or avatar (a graphical representation of a user or their alter-ego/character) used for Social Media.
Social media publisher	Staff authorised to create, publish and manage Social Media content on behalf of the City of Marion.
Staff	Any person carrying out duties or performing tasks for and on behalf of the City of Marion whether they are paid or unpaid, including employees, contractors, consultants, volunteers, students or any other persons that are involved with the City of Marion.

6. ROLES AND RESPONSIBITIES

Role	Responsibility
~~*Marketing & Events, Engagement & Media, and other relevant business units with a social media*~~	• Create and ~~ing~~ publish~~social media~~ content for assigned City of Marion Social Media Accounts. • Monitor and review account content on a regular basis; update or remove content as required.

Social Media Policy

Role	Responsibility
~~presence~~Social Media Publisher	• Respond to Social Media enquiries in a timely manner. • Manage inappropriate or irrelevant content posted by users; remove content or block users as approved.~~Maintaining social media content~~ • ~~Monitoring social media content~~
Staff	• Comply with this Policy.
Manager Customer Experience	• Appoint Social Media Publishers. • Approve the opening and closing of Social Media Accounts for the City of Marion. • Approve the removal of content or blocking of third-party users who fail to meet conduct expectations for posting on City of Marion Social Media Accounts.

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Social Media Policy

7. REFERENCES

City of Marion

- ~~Social Media Procedure~~
- Acceptable Use Policy ~~(under review)~~
- City Limits Publications Policy
- Code of Conduct for Council Members

~~Digital Communication and Engagement Strategy~~

Internet & Email Access and Usage Policy ~~(under review)~~

- ~~Social Media Procedure~~
-
- Staff Code of Conduct
- Strategic Plan 2019-2029
- ~~Publications Policy~~

Other

- Australian Human Rights Commission Act 1986 (Cth)
- Civil Liability Act 1936 (SA)
- Copyright Act 1968 (Cth)
- Criminal Law Consolidation Act 1935 (SA)
- Defamation Act 2005 (SA)
- Equal Opportunity Act 1984 (SA)
- Facebook Community Standards
- Facebook Advertising Policy
- Fair Trading Act 19897 (SA)
- Fair Work Act 1994 (SA)
- Freedom of Information Act 1991 (SA)
- Instagram Community Guidelines
- LinkedIn Professional Community Policies
- Local Government Act 1999 (SA)
- Local Government (Elections) Act 1999 (SA)

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- Lottery and Gaming Act 1936 (SA)
- Privacy Act 1988 (Cth)
- Spam Act 2003 (Cth)
- State Records Act 1997 (SA)
- Twitter Rules
- YouTube Policies

8. REVIEW AND EVALUATION

This Policy will be reviewed by Council every four years in accordance with the City of Marion Policy Framework or sooner if required.

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Social Media Policy

1. RATIONALE

Social Media has become an integral part of how we communicate with each other in a modern world. Social Media provides the City of Marion with an unprecedented opportunity to safely connect with our community, engage in meaningful conversations and dialogue, and keep people up-to-date with the latest news, events and initiatives.

Social Media contributes to the achievement of the following strategic objectives as outlined in the *City of Marion Strategic Plan 2019-2029*:

E1 We will increasingly use data and community responses to understand our community values and then we will deliver what they want.

E4 We will ensure our community is well informed about the services we provide.

I1 We will use the best technology possible to improve efficiency of our operations and delivery of our services.

I3 We will use technology and Social Media to improve our sharing of information.

I4 We will use technology to better engage with our communities, understand their needs and seek their feedback.

2. POLICY STATEMENT

The City of Marion uses Social Media as a safe and effective tool to engage and communicate with the community and reach targeted audiences on specific issues, events, and initiatives.

All Social Media usage and content published by or on behalf of the City of Marion:

- complies with third-party platform terms of service and community guidelines, and all local, state, and federal laws and regulations;
- is accurate, relevant and appropriate; and
- upholds the highest standards of behaviour, integrity and professionalism.

3. OBJECTIVES

The primary objectives of this Policy are:

- To increase community access to Council and Council's access to the community.
- To communicate quickly and safely with the community and reach targeted audiences on specific issues, events, and initiatives.
- To actively engage with the community and improve relationships with residents, partners and stakeholders.

Social Media Policy

4. POLICY SCOPE AND IMPLEMENTATION

Scope

This Policy applies to all Social Media activity and accounts for the City of Marion.

This Policy also comes into effect if the personal use of Social Media by Staff:

- references the City of Marion or relates to Council business or operations
- contains inappropriate content (refer section 4.4)
- damages or defames (or has the potential to damage or defame) the City of Marion, Council Staff or Elected Members.

This Policy must be read in conjunction with the *Social Media Procedure* and applicable Code of Conduct.

Implementation

4.1 City of Marion social media

Use of social media

The City of Marion uses Social Media to:

- Communicate and promote City of Marion news, initiatives, and events; and actively listen to community views.
- Raise the profile and public awareness of Council business, services, public resources, and facilities.
- Quickly respond to relevant customer enquiries and provide timely referrals to other communication methods if needed, particularly other digital tools and online services such as the website.
- Increase access between the City of Marion and the community, especially with different audiences who may not receive messages through traditional channels, such as young people and people who are housebound.
- Strengthen the City of Marion's reputation as being responsive, consultative, participatory, and transparent.
- Develop and manage an online community that is a safe and respectful place where members are encouraged to communicate and interact with City of Marion and each other, without any defamatory or inappropriate content.
- Involve the community in strategic direction and planning processes by promoting community consultation projects and engagement opportunities to seek public opinion.
- Identify issues circulating in the community.

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Social Media Policy

- Promote local businesses, organisations, and events located within the City of Marion and local catchment area that may be of interest to the local community, in accordance with the advertising principles in the *City Limits Publications Policy*.

  Note: Promotion is at the absolute discretion of the City of Marion.
- Promote City of Marion Social Media Accounts and other Council accounts by sharing posts or mentioning other accounts where possible.

Social media accounts

The City of Marion opens and maintains Social Media Accounts to positively engage and communicate with target audiences in the community.

Approval is required from Manager Customer Experience to open or close Social Media Accounts for the City of Marion.

Social media publishers

Social Media Publishers are appointed to Social Media Accounts and assigned responsibility for creating, publishing and managing account content.

4.2 Staff use of social media

Use of social media whilst at work

Staff may access Social Media Accounts whilst at work to perform assigned duties and when contributing to the achievement of City of Marion goals and objectives.

Staff may access Social Media in a personal capacity whilst at work subject to the *Acceptable Use Policy*.

Personal use of social media

Staff who are residents, ratepayers or customers of Council services may participate in community debate about an issue that personally affects them. Staff must make it clear that any comments posted on the issue are purely personal and do not represent the views or official position of Council or the City of Marion.

When using Social Media for personal use, Staff must never disclose or comment on confidential information about the City of Marion, Council or its operations that has been acquired through their position in Council.

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Social Media Policy

4.3 User posts on City of Marion social media accounts

User conduct

The City of Marion encourages open conversation and debate, and welcomes ideas, questions, complaints, and feedback via its Social Media Accounts.

Users are expected to:

- comply with third-party platform terms of service and community guidelines, and all local, state, and federal laws and regulations
- communicate and behave in a respectful and appropriate manner
- not post or publish inappropriate or irrelevant content.

Disclaimer

The City of Marion does not warrant the accuracy of user content posted on its Social Media Accounts. Any content, comments, views or opinions posted by users may not necessarily represent the views or official position of Council or the City of Marion.

4.4 Inappropriate or irrelevant social media content

For the purpose of this Policy, inappropriate or irrelevant Social Media content includes but is not limited to:

- racist, sexist or sexual content
- threats or abuse
- bullying or harassment
- offensive or obscene content or profanity
- derogatory or defamatory content
- unlawful or discriminatory content
- content that breaches a person's privacy or personal details e.g. phone number, without consent
- content that is confidential or subject to copyright or intellectual property that is posted without consent
- political lobbying or anti-social content
- spam, junk or advertising
- content relating to a third party not affiliated or connected with the City of Marion
- content that does not relate to the City of Marion or Council business
- content that is not suitable for a community of all ages
- any other content that the City of Marion / Council deems inappropriate or irrelevant.

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4.5 Policy breaches or non-compliance

Staff

Staff who fail to comply with this Policy may be deemed in breach of the *Staff Code of Conduct* and be subject to performance counselling and/or disciplinary action. Depending upon the seriousness of the matter, this may include suspension or termination of employment as approved by the Chief Executive.

Third party users

The City of Marion reserves the right to remove inappropriate or irrelevant content posted on its Social Media Accounts or block a user who fails to meet conduct expectations in order to maintain a safe and respectful online community.

5. DEFINITIONS

Term	*Definition*
City of Marion/Council	The Corporation of the City of Marion Council and its Elected Members, staff, policies, services, suppliers, stakeholders, or any other council related issues.
Community	People who live, work, study, conduct business and use the facilities or public places in the City of Marion.
Content	Words, imagery, videos or web links published to a social media account.
Local catchment area	City of Marion and surrounding council areas from where visitors or customers travel, including Holdfast Bay, West Torrens, Unley, Mitcham and Onkaparinga.
Publish	The uploading of content to a social media account, such as a status update, comment, post, tweet, photo, video or link.
Social media	Web-based tools and smartphone applications that allow users to easily connect and communicate with each other as well as publish, share, and discuss information content such as text, photos, video, and audio. Social media websites are characterised by interaction, collaboration, and user-generated content, with a focus on building online communities of people who share interests and/or activities.
Social media platform	Means a third-party online tool used for communication, promotion and conversation including, but not limited to, Facebook, Instagram, LinkedIn, YouTube, and Twitter.

Social Media Policy

Term	Definition
Social media account	Includes an account, profile, page, group, chat group, channel, platform, company, presence or avatar (a graphical representation of a user or their alter-ego/character) used for Social Media.
Social media publisher	Staff authorised to create, publish and manage Social Media content on behalf of the City of Marion.
Staff	Any person carrying out duties or performing tasks for and on behalf of the City of Marion whether they are paid or unpaid, including employees, contractors, consultants, volunteers, students or any other persons that are involved with the City of Marion.

6. ROLES AND RESPONSIBITIES

Role	Responsibility
Social Media Publisher	• Create and publish content for assigned City of Marion Social Media Accounts. • Monitor and review account content on a regular basis; update or remove content as required. • Respond to Social Media enquiries in a timely manner. • Manage inappropriate or irrelevant content posted by users; remove content or block users as approved.
Staff	• Comply with this Policy.
Manager Customer Experience	• Appoint Social Media Publishers. • Approve the opening and closing of Social Media Accounts for the City of Marion. • Approve the removal of content or blocking of third-party users who fail to meet conduct expectations for posting on City of Marion Social Media Accounts.

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Social Media Policy

7. REFERENCES

City of Marion

- Acceptable Use Policy
- City Limits Publications Policy
- Internet & Email Access and Usage Policy
- Staff Code of Conduct
- Strategic Plan 2019-2029

Other

- Australian Human Rights Commission Act 1986 (Cth)
- Civil Liability Act 1936 (SA)
- Copyright Act 1968 (Cth)
- Criminal Law Consolidation Act 1935 (SA)
- Defamation Act 2005 (SA)
- Equal Opportunity Act 1984 (SA)
- Facebook Community Standards
- Facebook Advertising Policy
- Fair Trading Act 1987 (SA)
- Fair Work Act 1994 (SA)
- Freedom of Information Act 1991 (SA)
- Instagram Community Guidelines
- LinkedIn Professional Community Policies
- Local Government Act 1999 (SA)
- Local Government (Elections) Act 1999 (SA)
- Lottery and Gaming Act 1936 (SA)
- Privacy Act 1988 (Cth)
- Spam Act 2003 (Cth)
- State Records Act 1997 (SA)
- Twitter Rules
- YouTube Policies

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Social Media Policy

8. REVIEW AND EVALUATION

This Policy will be reviewed by Council every four years in accordance with the City of Marion Policy Framework or sooner if required.

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11.5 Policy Review - Petitions Policy	
Report Reference	GC211214R11.5
Originating Officer	Governance Officer – Angela Porter
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to seek endorsement of the updated Petition Policy.

REPORT HISTORY

Report Reference	Report Title
EMF211116R1.3	Policy and Policy Framework Review

EXECUTIVE SUMMARY

The purpose of the Petition Policy is to set out how Council receives and manages petitions from its community. Council Members were consulted on the current policy which resulted in the following amendments:

- Reference to Regulation 50 of the *Planning, Development and Infrastructure (General) Regulations 2017*
- A recommendation for those providing a City of Marion address to indicate whether they have an interest in the City of Marion as a property or business owner
- Clarification of the decision making process following receipt of a petition
- Amendments to the Petition proforma template

The marked-up Petition Policy and amended petition proforma template are provided as Attachment 1. The Policy is recommended for endorsement.

RECOMMENDATION

That Council:

1. **Endorses the Petition Policy, subject to the following amendments:**
    a.
2. **That a copy of the Petition Policy is placed on the website.**

ATTACHMENTS

1. Petition Policy 2021 - tracked changes [**11.5.1** - 6 pages]

Petition Policy

1. RATIONALE

Council's principal role is to act as an informed and responsible decision maker and represents the interests of its community through open and transparent decisions.

Members of the community have a role to play by informing Council of their needs, concerns and/or providing information that may assist or influence Council decision making. One of the ways in which members of the community can advise Council of their concerns and influence the decision making process, is to take up a Petition.

Petitions provide a democratic mechanism for the community to make requests of, and provide information to, Council.

2. POLICY STATEMENT

Council accepts Petitions from members of the community who have a direct interest in the City of Marion, such as residents, ratepayers, and local businesses.

Petitions must relate to matters that Council is authorised to determine and be submitted in writing to Council in accordance with the principles set out in Regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013* and the requirements of this Policy.

3. OBJECTIVES

The primary objective of this Policy is to set out how Council receives and manages Petitions.

4. POLICY SCOPE AND IMPLEMENTATION

Scope

This Policy applies to all Petitions received by Council from members of the community who have a direct interest in the City of Marion.

Implementation

4.1 Content of Petitions

Regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013* states:

(1) A petition to the council must –

a) be legibly written or typed or printed; and

b) clearly set out the request or submission of the petitioners; and

c) include the name and address of each person who signed or endorsed the petition; and

d) be addressed to the council and delivered to the principal office of the council.

All Petitions to Council must include the following:

- nature of the Petition, clearly setting out the request or submission on each

Petition Policy

page of signatories;
- name and contact details of the Head Petitioner
- name and address of signatories to the Petition~~; and~~
- date the Petition was initiated.

It is also recommended that those providing a residential address outside of the City of Marion indicate whether they have an interest in the City of Marion as a property or business owner to enable Council to make a decision based on relevance. Petitions will still be considered valid if this information is not provided.

Telephone numbers of signatories are not necessary on Petitions. Council recommends they not be included for privacy reasons.

A ***Petition proforma*** is available on the City of Marion website and from the Administration Centre (see sample in Appendix 1).

Council won't accept and/or consider Petitions if they:

- do not include the name and address of each signatory
- contain abusive language
- contain remarks that could be considered defamatory towards a person or entity
- are not clear with their intent
- are not legible
- seek to encourage an unlawful activity
- relate to matters outside the powers of Council
- are related to a Development Application unless the Petition forms a valid representation, in which case the Petition must include all information required under Regulation 35 of the *Development Regulations 2008* or Regulation 50 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Council will provide the Head Petitioner with an explanation if a Petition is not accepted.

4.2 Receipt of Written Petitions

Written Petitions are received at the Administration Centre of the City of Marion located at 245 Sturt Road, Marion, SA 5047. They can be hand delivered or posted.

4.3 Receipt of Electronic Petitions

Pursuant to Section 13B(1)(b) of the *Electronic Transactions Act 2000,* an electronic communication is taken to have been received at the place where the addressee has its place of business. This means that an email delivered to the Chief Executive Officer of a Council is taken to be an email delivered to the Council (council@marion.sa.gov.au).

Petitions can be received electronically via the following means:

- An email containing a Petition delivered to Council;
- An email containing a link to a Petition (Facebook or other application) delivered to Council

Petition Policy

- Posting a Petition to the City of Marion Social Media

The following electronic communications do not constitute valid Petitions under this Policy but it may be used to promote a Petition or create awareness of its existence:

- "Likes" on Facebook for photos, comments, posts, or follows
- "Tagging" City of Marion in comments, tweets, or posts
- Individual emails, comments or posts supporting a particular request or submission.

4.4 Consideration of accepted Petitions

All Petitions received and accepted by Council are managed in a fair and consistent manner in accordance with the legislative requirements relating to the management of petitions.

The Chief Executive Officer ensures the Petition (along with a statement as to the nature of the request or submission and the number of signatures) is placed on the agenda for the next ordinary meeting of the Council. If the provisions of Section 90(3)(a) of the *Local Government Act 1999* apply, the Petition will be considered on a confidential basis.

Where further investigation is required on issues raised in a petition, the petition will be provided to the next meeting of Council from receipt of the petition to note the petition and a report providing further detail will be provided to Council once investigations have been completed. Community consultation may be undertaken following receipt of a petition if deemed necessary in order for Council to make an informed decision.

A petition that is brought to a General Council Meeting is tabled and noted at that meeting and then brought back and considered at the subsequent General Council Meeting - *refer Council's Code of Practice – Procedures at Meetings*.

When considering a petitioned request, Council takes into account the City of Marion's strategic directions, budget and programmed work. This ensures the needs and expectations of both the Petitioner(s) and the wider community are considered.

5. DEFINITIONS

Term	*Definition*
Address	The particulars of the place where someone lives or an organisation is situated.
Like	A Facebook feature that allows users to show their support for specific comments, pictures, wall posts, statuses, or fan pages by clicking a 'Like' button.
Petition	A request to Council seeking action or special consideration of a particular matter, which is signed by more than two residents/ members of the public from, at least, two different property addresses.

Petition Policy

Term	Definition
Tagging	To attach another Facebook member's name to a photograph or post on the social networking site, Facebook.
Tweet	A message posted via Twitter containing 140 characters or fewer. Tweet, tweeting, tweeted. The act of posting a message on Twitter.

6. ROLES AND RESPONSIBITIES

Role	Responsibility
Governance and Council Support Unit	• Include Petition in the General Council Agenda.
Responsible Department (dependent on subject matter of Petition)	• Notify Head Petitioner if a Petition is not accepted by Council; give an explanation or reason(s). • Notify Head Petitioner of the Council's decision in relation to the Petition.
Person receiving Petition (Council Member or Staff)	• Forward a copy of the Petition to the Governance and Council Support Unit for inclusion in the General Council Agenda.

7. REFERENCES

City of Marion

Code of Practice – Procedure at Meetings

Petition Proforma – refer Appendix 1

Social Media Policy

Other

Development Regulations 2008

Electronic Transactions Act 2000 (SA)

Local Government Act 1999 (SA)

Local Government (Procedures at Meetings) Regulations 2013

Planning, Development and Infrastructure (General) Regulations 2017

8. REVIEW AND EVALUATION

The Manager Corporate Governance reviews this Policy every four years (or earlier if required) in accordance with the City of Marion Policy Framework. Council approves this Policy.

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Petition Policy

Appendix 1 – Petition Proforma

PETITION – CITY OF MARION

Office Use Only
Date Petition Received

To His Worship the Mayor and Councillors of the City of Marion

Date Petition Initiated:

Petition Contact Person:

Address:

Telephone:

Email:

The petition of *(identify the individuals or group, e.g. residents of the City of Marion)*

Draws the attention of the Council *(identify the circumstances of the case)*

The petitioners therefore request that the Council *(outline the action that the Council should or should not take)*

Name	Address (if you reside outside of the City of Marion, please indicate if you own a property or business within the City of Marion)	Y / N	Signature

This petition is a public document. By signing it, I understand that my name, address and signature will be made available in the public realm. The City of Marion will record these details for the purpose of this petition only.

Petition Policy

Identify the details of the petition on each page

Name	**Address** (if you reside outside of the City of Marion, please indicate if you own a property or business within the City of Marion)	**Y / N**	**Signature**

Attach additional sheets if required

This petition is a public document. By signing it, I understand that my name, address and signature will be made available in the public realm. The City of Marion will record these details for the purpose of this petition only.

11.6 Policy Review - Policy Framework	
Report Reference	GC211214R11.6
Originating Officer	Governance Officer – Angela Porter
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to seek endorsement of the updated Policy Framework following a review at the Elected Member Forum on 16 November 2021.

REPORT HISTORY

Report Reference	Report Title
EMF211116R1.3	Policy and Policy Framework Review

EXECUTIVE SUMMARY

The purpose of the Policy Framework (the Framework) is to provide clear direction on how to develop and review City of Marion policies and procedures.

Amendments to the policy include:

- New key principals and requirements section including strategic objectives, risk and continuous improvement
- Updated review cycle, reporting requirements and clarification of delegations
- Updates to formatting and language

RECOMMENDATION

That Council:

1. **Endorse the Policy Framework, subject to the following amendments:**
    - **a.**
    - **b.**

DISCUSSION

The Policy Framework was presented to Elected Members at the Elected Member Forum on 16 November 2021 (EMF211116R1.3).

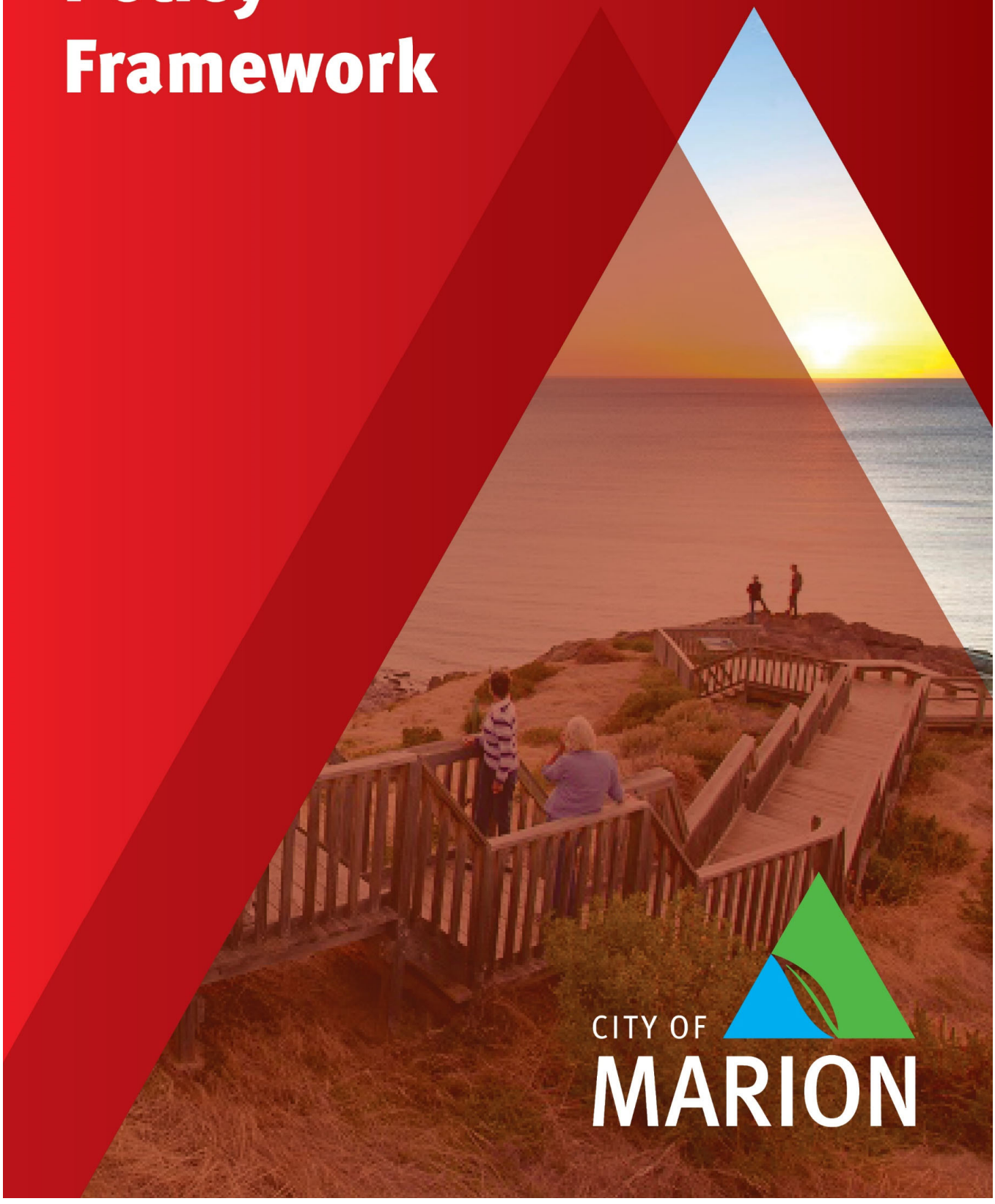
A key principals and requirements section has been added to provide clarity around strategic objectives, risk and continuous improvement. The development review cycle has been updated to include annual reporting to the Executive Leadership Team and the authority and delegation table has been updated to clarify delegations and reflect a higher level of reporting and approval requirements. The Framework has also been updated to the new format and changes made to language.

Following this review, it is recommended that the Framework be endorsed to enable Council to continue to govern the development, amendment and review of policies and procedures.

ATTACHMENTS

1. Policy Framework 2021 - Draft - clean copy [**11.6.1** - 10 pages]

City of Marion
Policy Framework



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Purpose

The purpose of this Policy Framework (the Framework) is to provide clear direction on how to develop and review City of Marion policies and procedures.

Objective

The primary objectives of this Framework are to:

- define and align council's policy hierarchy with strategic management frameworks, community vision, legislative requirements and corporate governance practices,
- articulate roles, responsibilities and authorities for policy development and review,
- govern the development, implementation, amendment and review of policies to ensure relevance, responsibility, quality, consistency and compliance.

Scope

This Framework applies to all City of Marion policies and procedures.

Definitions

Policy

A policy is a high-level strategic directive that establishes a philosophical principle-based approach to a subject. A policy may be developed where direction or purpose is required to efficiently expedite council business and operations. A policy is implemented through other instruments such as procedures or standard operating procedures which contain methodical (often chronological) instructions and guidelines determining a course of action.

Public Policy

A Public Policy is an externally focused document articulating council's position on a particular topic or issue affecting the community. It reflects effective strategic decision-making by council to achieve desired community outcomes.

Public Policy is:

- developed where there is an identified need to articulate council's position on a topic,
- aligned with the City of Marion strategic management plans or directions,
- consistent with community expectations and any applicable legal requirements,
- capable of being implemented within council resources,
- developed and reviewed in consultation with the community and key stakeholders,
- adopted/approved by Council,
- binding and applies across whole of council.

Legislative Policy

A Legislative Policy relates to governance requirements of Council and supports accountability and performance outcomes connected to an Act or Regulation. Matters covered by Legislative Policy include but are not limited to: Council Members, fiduciary responsibilities, conflict of interest, public consultation, complaints and grievances, contract management and risk management.

Legislative Policy is:

- connected to, and consistent with, legal requirements under an applicable Act or Regulation,
- developed and reviewed in consultation with key stakeholders,
- adopted/approved by Council,
- binding and applies across whole of council.

Policy Framework

Corporate Policy

A Corporate Policy relates to the core business of council and covers matters such as Human Resources, IT and Internal Controls.

Corporate Policy is:

- consistent with community expectations and any applicable legislative requirements,
- capable of being implemented within council resources,
- developed and reviewed in consultation with key stakeholders,
- adopted/approve by the Chief Executive Officer (CEO) or Executive Leadership Team (ELT),
- binding and applies to specified council operations or business functions.

Procedure

A procedure contains clear, logical and methodical instructions on how to complete a course of action, usually within expected timeframes. A procedure is often referred to as a Standard Operating Procedure (SOP), work process or safe work instruction.

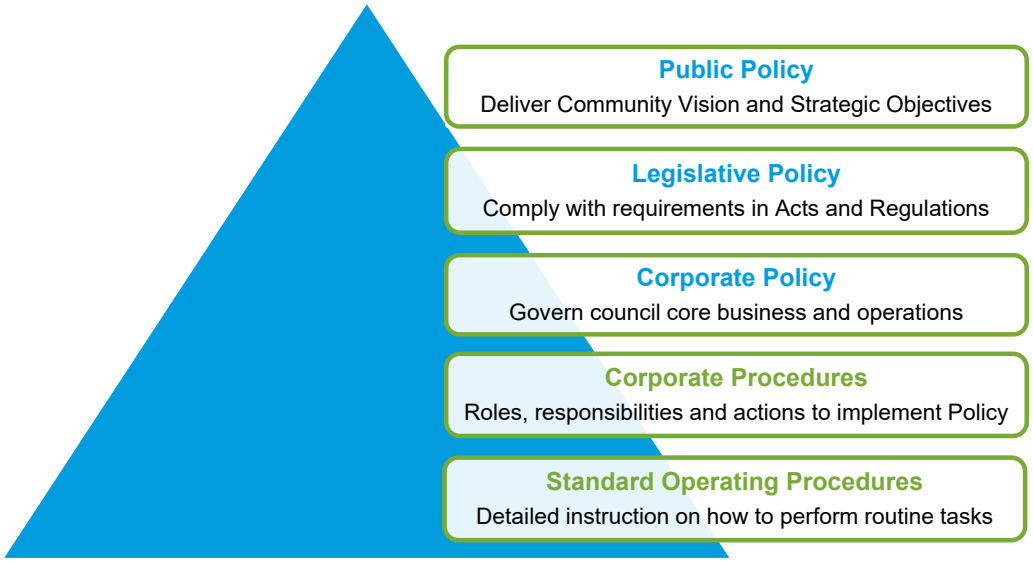
Corporate Procedure

A Corporate Procedure provides clarity regarding the roles and responsibilities to implement a policy. Corporate procedures include internal controls and steps/actions required to deliver outcomes. Corporate procedures are adopted/approved by the Executive Leadership Team (ELT).

Standard Operating Procedure (SOP)

A Standard Operating Procedure (SOP) provides instruction to staff on how to perform routine or repetitive tasks. SOPs contain a process map and detailed written work instructions to enable a person with limited experience or basic knowledge to successfully complete the task(s) unsupervised. SOPs are readily accessible to staff required to perform the activity. SOPs are adopted/approved by the relevant departmental Senior Leader (SLT).

Policy Hierarchy



Key principles and requirements

Principles underpinning policy development and review

Strategic

A long-term view is taken on policy matters wherever possible and is based on any available research, trends, statistics or predictions.

Risk and opportunities

Consideration is given to factors impacting on policy, including those within the council operating environment, legislative requirements and the wider community.

Outcome focused

Policy contains clear objectives and/or intended outcomes.

Engaged

Key stakeholders (both internal and external) are engaged as required and are involved throughout the policy development and review process.

Best practice

Policy is based on best practice. If required, research and assessments are performed and specialist advice obtained from subject matter experts (both internal and external).

Innovative

New and creative ideas, methods and practices are incorporated into policy wherever possible.

Continual improvement

A learning approach is applied to facilitate continual improvement and contribute to council efficiency and effectiveness. Future amendments for consideration are documented within the Policy and Procedure Library and made available for reference during subsequent policy development and reviews.

Policy development and review requirements

1. All policies and procedures:
   - are developed in accordance with the Policy Development and Review Cycle and drafted using the approved Document Template (refer Appendix A for examples),
   - are clear and succinct and able to be applied fairly and consistently,
   - contain a record of who approved/adopted the policy, when the policy was adopted, the policy owner responsible for complying with the policy, and when the policy is due for review,
   - are appropriately communicated to those impacted by, or required to implement, the policy or procedure (options may include website, intranet, notice boards).
2. Prior to creating a new policy or a major amendment to an existing policy, the Policy Owner:
   - determines the policy type using the Policy Hierarchy in this Framework,
   - consults with key stakeholders and the community, as applicable,
   - considers any national or international guidelines, standards and/or relevant legislation.
3. When reviewing a policy, the Policy Owner:
   - considers whether a procedure or other document (framework, guideline, etc) is more appropriate,
   - considers any synergies in developing/reviewing related policies and procedures concurrently,
   - reviews both the policy content and the procedures/practices governed by the policy.
4. Once approved, a policy or procedure remains in force until it is formally rescinded by the relevant authority (refer Authority and Delegation).

Policy development and review cycle

New policies and associated procedures are developed as required and submitted to the correct delegated authority for approval (refer Authority and Delegation).

The policy review cycle commences in January each year. Governance submits a report to ELT indicating which policies and procedures have been reviewed, review outcomes (updated, rescinded, no change) and which policies and procedures are due for review. Policy Owners review and update policies. Council's intent is for policies to be reported to Council between July and December wherever possible.

	Policy element	Key requirements
1	**Need**	▪ Council identifies policy need ▪ Community expectation or legislation demands a policy response ▪ A policy doesn't already exist or an existing policy doesn't effectively address the issue
2	**Planning & Analysis**	▪ Is a policy the right instrument to address the issue? ▪ Can the issue be addressed in an existing policy? ▪ What policy is required - Public/Legislative/Corporate? ▪ What are the risks, impacts and benefits of the Policy? ▪ What resources are required to implement the Policy? ▪ Can any lessons learned be applied?
3	**Development**	▪ Contact stakeholders (get early buy-in and initial thoughts) ▪ Draft policy in approved document template ▪ Ensure policy meets need and aligns with strategy, policy, legislation, standards etc ▪ Obtain expert opinion if required (e.g. legal) ▪ Liaise with other policy owners to draft amendments to other policies impacted
4	**Consultation**	▪ Make draft policy available to key stakeholders for comment ▪ Consider stakeholder feedback and concerns ▪ Update draft policy as appropriate ▪ Circulate subsequent drafts for comment (if required)
5	**Approval**	▪ Prepare final draft of policy ▪ Submit final draft to delegated authority for approval
6	**Implementation**	▪ Update Policy and Procedure Register ▪ Communicate policy to key stakeholders and community ▪ Provide information and training to staff ▪ Implement policy requirements
7	**Evaluation**	▪ Monitor and assess policy impact ▪ Check if policy objectives are being met ▪ Perform interim review if policy is not meeting objectives and/or as required by legislation ▪ Future amendments for consideration are documented within the Policy and Procedure Library
8	**Review**	▪ Existing policies and associated procedures are reviewed every four years (or earlier if the need arises) ▪ Policy reviews are managed through the SharePoint Policy and Procedure Library ▪ Governance coordinates policy reviews in collaboration with Policy Owners

Policy Framework

Authority and delegation

Policy Type	Authority to approve	Committee reporting requirements*	Authority to approve inconsequential and/or minor amendments	Authority to rescind
Public Policy	Council	Committee of Council (if required)	Council	Council
Legislative Policy	Council	Committee of Council (if required)	Council CEO	Council
Corporate Policy	Executive Leadership Team	Internal Committee (if required)	Executive Leadership Team	Executive Leadership Team
Corporate Procedure	Executive Leadership Team	Internal Committee (if required)	Executive Leadership Team	Executive Leadership Team
Standard Operating Procedure (SOP)	Relevant Departmental SLT	N/A	Relevant Departmental SLT	Relevant Departmental SLT

*Additional committee reporting and consultation requirements are defined within the SharePoint Policy and Procedure Library.

Policy Framework

Appendix A – Document Template Examples



1. RATIONALE

[Explains "why" the policy is being written. The rationale may also contain or refer to background materials or more explanatory details regarding environmental factors that led to the development of the policy.]

2. POLICY STATEMENT

*[An overarching statement of what the policy is meant to achieve – what is the aim? Be as succinct as possible. **The statement should only be one or two sentences** describing the general intent with respect to the specific topic of the policy. The statement should be general enough to provide some flexibility in implementation and to allow periodic changes as it is reviewed.]*

3. OBJECTIVES

*[Policy is usually based upon one or a number of objectives, which describe Council's desired approach to the policy issue. Examples could include; **Economic objectives** of cost effective or cost neutral, market competitiveness, opportunity, regulatory impact. **Social objectives** of social justice, community impact, community values, community plans, cultural heritage. **Legal objectives** of fundamental legislative responsibility, fairness and access to the law, enforceability. **Environment objectives** of environmental impacts, environmental quality, sustainability, biodiversity.]*

4. POLICY SCOPE AND IMPLEMENTATION

[Detail "how" the policy statement will be attained and to whom it applies. It may reference a related set of service areas, operating policies and procedures or other requirements for different parts of Council including who will be responsible for various parts of the implementation and compliance monitoring of the policy in their work areas.]

Scope

Implementation

5. DEFINITIONS

[Provide any definitions for key words or technical terms contained within the policy. These must be stated in alphabetical order for the ease of the reader.]

Term	*Definition*

Policy Ref/Security Classification:
Category:
Owner: Manager
Authorisation Date: xx/xx/xx
Review Date: xx/xx/xx

Page 1 of 2

City of Marion
245 Sturt Road, Sturt SA 5047
PO Box 21, Oaklands Park SA 5046
T 08 8375 6600
www.marion.sa.gov.au

The online version of this document is the current version. This document is 'Uncontrolled if PRINTED'.

Insert Policy Name

6. ROLES AND RESPONSIBITIES

[Define any roles and responsibilities at a high level. Clearly state the Department(s) responsible for this.]

Role	*Responsibility*
	•
	•
	•

7. REFERENCES

[Identify all related references and links in developing this policy, including:
- *Other organisational polices that should be read in conjunction*
- *Model policies of other agencies or governments*
- *Corporate documentation*
- *Legislative requirements, regulations, guidelines*
- *Approved operating procedures that support policy implementation]*

City of Marion
•

Other
•

8. REVIEW AND EVALUATION

[Identify when and how will the policy be reviewed along with which department will be responsible for administering the policy if the information differs from the table provided for the general responsibility of the policy.]

Insert Procedure Name

1. RATIONALE

Explains "why" the procedure is being written i.e. to support a policy direction of Council or ELT.

2. PROCEDURE SCOPE AND IMPLEMENTATION

Detail "how and when" the procedure will come into effect, who it applies to with the purpose is to deliver an outcome. It may reference a related policy or another procedure.

3. DEFINITIONS

Provide any definitions for key words or technical terms contained within the procedure stated in alphabetical order for the ease of the reader

Term	*Definition*

4. PROCEDURE / STEPS

Commence detailing relevant steps / procedures to reach the end goal.
Use of flow charts, tables or diagrams are acceptable. Be clear and succinct.

5. REFERENCES

Identify all related references and links in developing this procedure, including:

- *Related policies that should be read in conjunction*
- *Other related organisational policies or procedures*
- *Model procedures of other agencies or governments*
- *Corporate documentation*
- *Legislative requirements, regulations, guidelines*

City of Marion

-

Other

-

6. REVIEW AND EVALUATION

Identify when and how the procedure will be reviewed along with which department will be responsible for administering /management.

DRAFT

11.7 Local Government Reform - Round 1 Amendments	
Report Reference	GC211214R11.7
Originating Officer	Unit Manager Governance and Council Support – Victoria Moritz
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to provide an update on the implementation of the Local Government Reform and the second tranche the round one proclamations made in September 2021. This report provides a summary of amendments required to relevant policies, procedures and Codes of Practice.

EXECUTIVE SUMMARY

The round one proclamation relating to the implementation of the *Statues Amendment (Local Government Review) Act* (Review Act) was made on 16 September and commenced the Review Act with amendments in two tranches, 20 September 2021 and 10 November 2021.It suspended other specified sections until later proclamation rounds on a date yet to be determined. Amendments that came into effect in tranche one, generally didn't require councils to make changes to policies, procedures or systems. Amendments commencing on 10 November require some amendments to existing policies, procedures and Code of Practice including:

- *Complaints and Grievance Policy*
- *Complaints and Grievance Procedure*
- *Council Member Allowances and Benefits Policy*
- *Election Signs General Approval Guidelines*
- *Council Members Code of Practice – Procedures at Council Meetings*
- *Council Members Code of Practice – Access to Council Meetings and Documents*

These documents and additional documents may require further amendments as additional detailed information is received and additional amendments proclaimed.

RECOMMENDATION

That Council:

1. **Endorse the amended *Complaints and Grievance Policy* included as Attachment 1**

2. **Endorse the amended *Complaints and Grievance Procedure* included as Attachment 2**

3. **Endorse the amended *Council Member Allowances and Benefits Policy* included as Attachment 3**

4. **Endorse the amended *Elections Signs General Approval Guidelines* included as Attachment 4**

5. **Endorse the amended *Council Members Code of Practice – Procedures at Council Meetings* included as Attachment 5**

6. **Endorse the amended *Council Members Code of Practice – Access to Council Meetings and Documents* included as Attachment 6**

DISCUSSION

Following the commencement of round one amendments in the Local Government Reform, changes to the following policies, procedures and codes have been identified to ensure these documents comply with amendments to the *Local Government Act 1999* as a result of the Review Act.

***Complaints and Grievance Policy* - Attachment 1 and *Complaints and Grievance Procedure* - Attachment 2**

Amendments to the Complaints and Grievance Policy and Procedure are a result of the commencement of section 135(1) to (4) of the Review Act, amending section 270(2a) to (4a) of the Local Government Act.

A new section 270(2a) provides that council procedures must require applications for review to occur within 6 months of the making of the relevant council decision. Councils (through its procedure) can choose to permit applications made after 6 months in "appropriate cases". This was already included in Council's policy.

In addition, new section 270(4a) provides that the policies, practices and procedures established must not provide for a review of a decision of a council:

- to refuse to deal with, or to take no further action in relation to, complaints about council members made pursuant to sections 262A to 262E of the Local Government Act.
- relating to a recommendation of the Ombudsman.

A new prescribed fee of $20, set in the *Local Government (Application for Review Fee) Notice 2021,* applies to all section 270 applications for review of a council decision (South Australian Government Gazette, No.62, 16 September 2021, p. 3597).

Councils are now entitled to decide not to review a matter if the application has already been the subject of a review by the council or "an investigation inquiry or review by another authority" (section 270(4)). The decision maker in these circumstances is the council officer assigned to consider the application. A member of the public who is unhappy about this decision remans entitled to make a complaint to the Ombudsman.

***Council Member Allowances and Benefits Policy* - Attachment 3**

Section 20 of the Review Act inserts a new section into the Act which applies where a council member stands as a candidate for election as a member of the Parliament of South Australia. In particular, the new section provides that the council member will be taken to have been granted leave of absence from their role as a council member from the date of the close of nominations for the election until the result of the election is publicly declared.

The council member does not need to make an application for the leave of absence and the council is not required to grant the leave. The leave of absence provided is automatic and the council cannot prevent the leave being given.

***Election Signs General Approval Guidelines* - Attachment 4**

Commencement of section 115 of the Review Act, amends section 226 of the Local Government Act.

'Movable signs' can still be regulated through council by-laws, however, there are changes to the rules relating to election advertising posters.

As a result of the Review Act, 'electoral advertising posters' relating to local government elections are now prohibited "on a public road (including any structure, fixture or vegetation on a public road), except in circumstances prescribed in Regulations". It is currently not intended there be any regulations relating to section 226.

Consequently, corflute elections signs cannot be affixed to stobie poles, traffic signs, trees, etc along a public road. The maximum penalty is $5,000. Council authorised officers are entitled to enforce this section of the Local Government Act.

The changes to section 226 have no impact on the rules relating to State or Federal elections.

***Members Code of Practice – Procedures at Council Meetings* – Attachment 5**

Procedures at Council meetings are regulated by the *Local Government (Procedures at Meetings) Regulations 2013* (Regulations). In accordance with these Regulations, Council can set discretionary procedures pursuant to Regulation 6. This Code of Practice is made pursuant to this Regulation and must be *passed by a two thirds majority of Council Members*. Amendments to the Code of Practice include:

- Commencement of section 47 of the Review Act, amending section 85 of the Local Government Act.

  The change inserts additional information which clarifies that council members who are suspended from office and those granted a leave of absence under the new section 55A are not to be counted in the total number of members of the council when calculating the prescribed number of council members that constitutes a quorum.

- Commencement of regulation 5 and regulation 6 of the *Local Government (Procedures at Meetings) (Review) Variation Regulations 2021* (*Variation Regulations*), amending regulation 9 and regulation 12 of the Local Government (Procedures at Meetings) Regulations 2013 (Procedures at Meetings Regulations).

  The Variation Regulations require a council member to give at least 7 clear days' notice between asking a question on notice or providing a notice of motion and the date of the meeting at which that item is to be considered or tabled. Previously five days' notice were required.

- *Public Health Emergency: Electronic Participation in Council Meetings (Notice No. 5)* published on 11 November 2021 contains technical changes to update references in the *Act* as a result of changes under the Review Act which have now commenced. This notice (No. 5) revokes and replaces *Public Health Emergency: Electronic Participation in Council Meetings (No. 1)* - Tuesday, 31 March 2020 and comes into effect on 11 November 2021. There are no substantive changes to the content of the notices which include technical updates due the amendments. References to this Notice have been updated.

- Minor clarification points in section 10.4 stating 'a member may, with leave of the meeting, make a personal explanation. The personal explanation will be summarised and recorded in the minutes' and 12.8 stating that 'the Presiding Member will not accept a division called on a procedural motion (such as an adjournment, extension of time, confidential order)'.

***Council Members Code of Practice – Access to Council Meetings and Documents* - Attachment 6**

Council must prepare and adopt a Code of Practice, in accordance with Part 5 of the Local Government Act 1999 (the Act), that relates to the principles, policies, procedures and practices that the Council will apply for the purpose of the operation of Part 3 and Part 4 of the Act.

Section 92(5) provides that council must now, before adopting, altering or substituting a code of practice under section 92, undertake public consultation on that proposed code, alteration or substitute code. However it is noted, the Electronic Participation in Council Meetings Notice (No 5) 2021 has suspended the operation of section 92(5) of the Acy until 28 days after the cessation of all relevant public health emergency declarations. As a result, councils are not required to undertake public consultation on the Code of Practice whilst the Notice is still in place.

Amendments to this Code of Practice include:

- The new section 84(1a) provides that the CEO must now ensure the notice is displayed at the principal office of the council and that, in accordance with section 132(1)(a), the notice and agenda for the meeting are available on the council website.
- Council will publish information about information and briefing sessions in accordance with Regulation 8AB of the Local Government (General) Regulations 2013. Absent a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential
- Amendments to Section 90 of the Act relating to the new provisions around Information or Briefing Sessions.
- An additional sub-section in Section 90 - Information relating to a proposed award recipient before the presentation of the award.
- Amendments relating to the public inspection / display requirements. Section 132(1) provides that, subject to the regulations, a council must –

  (a) publish a document referred to in Schedule 5 on a website determined by the chief executive officer (the CEO); and

  (b) on request, provide a person with a printed copy of a document referred to in Schedule 5 (on payment of a fee (if any) fixed by the council).
- Section 144(2) and (3) of the Review Act made the following amendments to Schedule 5 of the Local Government Act:
  Meeting Papers :
  - Inserted at the 3rd dot point, the following italicised text: *Documents and reports (including attachments and any information or material referred to in the documents or reports) supplied to the council or a council committee that are able to be supplied to members of the public.* This amendment clarifies that all attachments and any information or material referred to in meeting documents or reports must also be made available to the public in accordance with section 132(1) of the Local Government Act (unless subject to a confidentiality order under section 90(2)).

Additional changes to public inspection/display requirements in the Local Government Act & associated regulations also commenced. The attached information sheet provided by the LGA (**Attachment 7)** relates to the commencement of various sections of the Statutes Amendment (Local Government Review) Act 2021 that make amendments to the public inspection/display requirements within the Local Government Act 1999 and associated regulations. These changes commenced on 10 November 2021.

ATTACHMENTS

1. Complaints and Grievance Policy [**11.7.1** - 7 pages]
2. Complaints and Grievance Procedure [**11.7.2** - 5 pages]
3. Council Members Allowances and Benefits Policy 2021-05-27 [**11.7.3** - 8 pages]
4. Election Signs General Approval Guidelines 20180820 [**11.7.4** - 8 pages]
5. Council Member Code of Practice Procedures at Council Meetings [**11.7.5** - 27 pages]
6. Code of Practice Access to Council Meetings and Documents [**11.7.6** - 14 pages]

7. LGA Information Sheet - Changes to public inspection and display requirements [**11.7.7** - 18 pages]

Complaints and Grievance Policy

CITY OF MARION

1. RATIONALE

This Policy is consistent with the Australian Standards for complaint handling and the Ombudsman SA *Right of Review* Audit (completed November 2016).

2. POLICY STATEMENT

The City of Marion:

- Is committed to providing good governance practices through efficient fair and accessible mechanisms to resolve services complaints or grievances.
- Encourages customers and the community to raise issues and complaints with theCouncil as it provides the opportunity to improve services to the community.
- Recognises the importance of transparency in decision making and the need to provide a fair and objective process for the review of all decision and actions.

3. OBJECTIVES

The purpose of this Policy is to provide a fair, consistent and structured process for City of Marion's customers if they are dissatisfied with an action, decision or services. These actions, decisions or services may be delivered by the Council (being the elected body as a whole), an employee of the council or another person acting on behalf of the council.

Lessons learnt from a complaint investigation will be used to directly inform service improvement.

Where complaints cannot be settled in the first instance the City of Marion will ensure that they are dealt with through appropriate, more formal procedures by staff or Council with the authority to make decisions. Complainants will be referred to this Policy and the associated procedure which details the steps required for further review.

~~**PRINCIPLES**~~

~~This policy is based on the following principles:~~

- ~~Fairness – All Complaints and grievances will be treated with procedural fairness, impartiality and transparency at all stages of the review.~~
- ~~Responsiveness – taking into consideration the complexity of the matter, all complaints and grievances will be resolved in a timely manner.~~
- ~~Efficiency – those involved in the complainant process will have the required skills, knowledge and resources to undertake the review.~~

Complaints and Grievance Policy

CITY OF MARION

4. POLICY SCOPE AND IMPLEMENTATION

PRINCIPLES

This policy is based on the following principles:

- Fairness – All Complaints and grievances will be treated with procedural fairness, impartiality and transparency at all stages of the review.
- Responsiveness – taking into consideration the complexity of the matter, all complaints and grievances will be resolved in a timely manner.
- Efficiency – those involved in the complainant process will have the required skills, knowledge and resources to undertake the review.

MANAGING INTERNAL COMPLAINTS AND GRIEVANACE

Complaints and grievances can vary in their complexity and seriousness. There are threeways in which a complaint or grievance can be resolved/reviewed:

1. Immediate response to resolve the matter

All staff are empowered to handle complaints in the first instance and it is preferable that they are dealt with promptly at the initial point of contact and at the appropriate officer level where ever possible.

2. Escalated to a supervisor or manager

When a complaint cannot be resolved in the first instance, it will be referred to either a supervisor or manager. Additionally, where the circumstances indicate that the complaint would be more appropriately dealt with at a high level, the matter will be escalated. Complaints of this nature must be made in writing and outline the specific nature of the complaint.

3. Internal Grievance Review – Review of Decision (pursuant to section 270 of theLocal Government Act 1999)

When a complaint cannot be resolved in the first instance and/or by a supervisor or manager, it will be referred for internal review in accordance with the Complaints and Grievance Procedure. The complaint or grievance will be reviewed by the ~~Manager Corporate Governance~~Manager Office of the CEO. The ~~Manager Corporate Governance~~Manager Office of the CEO may investigate the matter themselves, or establish an internal Review Panel (depending on the complexity of the matter) or refer the

Complaints and Grievance Policy

matter to an independent investigator.

Any complaint or grievance relating to a decision made by the Chief Executive Officer or the Council at a Council or Committee Meeting, will be referred to the next General Council Meeting to determine how the matter will be reviewed, either by an internal Review Panel or outsourced to an independent investigator.

Complaints of this nature must be made in writing to the ~~Manager Corporate Governance~~Manager Office of the CEO and outline the specific nature of the complaint and the dis-satisfaction with any internal review completed so far.

Applications must be accompanied by a prescribed fee of $20 as set out in the Local Government (Application for Review Fee) Notice 2021. Council is entitled to waive this fee in exceptional but reasonable circumstances.

Applications for the review of decisions must be lodged within six (6) months of the decision in question being made. However, in exceptional but reasonable circumstances, the ~~Manager Corporate Governance~~Manager Office of the CEO may agree to accept a late application. This will be assessed on a case by case basis.

This process will be the last level of internal review for the Council's complaint and grievance process.

ALTERNATIVE DISPUTE RESOLUTION METHODS

The City of Marion prefers to try and resolve complaints and grievances internally but there will be circumstances where this is not possible. If this occurs, the dispute resolution methods available to complainants include:

1. Mediation – refer to Mediation SA
   Contact details:
   Address: 175 Oaklands Road, Warradale SA 5046
   Email: wreception@mediationsa.org.au
   Phone: (08) 8350 0376

2. Ombudsman Review – refer to Ombudsman SA
   Contact details:
   Address: Level 9, 55 Currie Street, Adelaide SA 5000
   Email: ombudsman@ombudsman.sa.gov.au Telephone:
   (08) 8226 8699

3. Legal action

Complaints and Grievance Policy

CITY OF MARION

TIMEFRAME

Timeframes for complaints and grievances will be dependent on the complexity of the matter. Complainants will be advised upfront of the likely timeframe required to investigate

a matter and updated on progress where necessary. Timeframes may change as matters progress. The estimated timeframe for complaints and grievances are as follows:

1. Immediate response to resolve the matter

   1-3 working days

2. Escalated to a supervisor or manager

   10 working days of the matter being escalated

3. Internal Grievance Review (pursuant to section 270 of the Local Government Act1999)

   6 – 8 weeks of the matter being referred to the ~~Manager Corporate Governance~~Manager Office of the CEO but may take up to six months for complex matters.

ITEMS EXLCUDED FROM THIS POLICY

The following matters are excluded from being reviewed pursuant to this Policy and associated procedure:

- If the complaint is made by an employee of the council and relates to an issue concerning his or her employment.
- It appears that the complaint is frivolous or vexatious.
- If the Complainant does not have a sufficient interest in the matter.
- Complaints which are determined to be about matters that are not Council's responsibility (i.e. neighbourhood disputes).
- Complaints that refer to staff or elected member misconduct or behaviour (will be referred to relevant Code of Conduct).
- Reports of fraudulent, corrupt or illegal activity (will be referred to the relevant authority).
- Matters that have existing appeal rights through their own legislations (i.e. Freedomof Information, Expiation of Offences act 1996, Development Act 1993 etc).

Complaints and Grievance Policy

CITY OF MARION

- Claims and Insurance decisions made by other agencies.
- A decision of Council to refuse to deal with, or take no further action in relation to, complaints about council members made pursuant ot sections 262A to 262E of the *Local Government Act.*
- A decision of council relating to a recommendation of the Ombudsman
- Council can decide not to review a matter if the application has already been the subject of a review by the council or "*an investigation inquiry or review by another authority*" (section 270(4)). The decision maker in these circumstances is the council officer assigned to consider the application. A member of the public who is unhappy about this decision remans entitled to make a complaint to the Ombudsman.

Matters that fall outside statutory appeals procedures will be considered for the conduct of an Internal Grievance Review on the merits of the individual application.

UNREASONABLE COMPLAINANT

All complaints received by the City of Marion will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, lack of cooperation, argumentative or threatening behaviours.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the complainant. Before making any decision to restrict contact, thecomplainant will be warned that, if the specified behaviour(s) or actions continue, restrictionmay be applied.

Any decision to restrict contact or suspend action on a complaint process will be made by the Chief Executive Officer and/or a General Manager. This will be communicated to the complainant in writing.

REPORTING

All matters reviewed via an Internal Grievance Review will be reported via the City of MarionAnnual Report.

Part 2 – Complaints regarding Code of Conduct for Council Employees

Complaint procedure

Where a person alleges –

- an employee (or a relative of an employee) has sought or received a gift or benefit thatis, or could reasonable be taken to be, intended or likely to create a sense of obligationon the part of

Complaints and Grievance Policy

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- the employee to a person or to influence the employee in the performance or discharge of the employees functions or duties; or
- an employee has failed to record, or correctly record, details of a gift or benefit receivedby the employee (or a relative of an employee) on the gift and benefits register; or
- the CEO has not appropriately maintained a register for gifts and benefits received by employees of the council,

they may submit a complaint alleging that an employee of council has contravened or failed tocomply with the Code of Conduct for Council Employees, as prescribed in Schedule 2A of the *Local Government (General) Regulations 2013.*

A complaint must be given to the Chief Executive Officer, Manager Human Resources or ~~Manager Corporate Governance~~Manager Office of the CEO. In the case of a complaint against the Chief Executive Officer, a complaint must be given to the principal member of the council, except in circumstances where it would be inappropriate to do so (such as where legislation requiresthe matter to which the complaint relates to remain confidential).

A complaint will be investigated and resolved according to the industrial and human resource procedures of the council.

~~4.~~5. POLICY AVAILABILITY AND REVIEW

This policy will be made available to all staff, elected members and the community via theCity of Marion website and intranet. This policy will be reviewed every three years.

~~5.~~6. DEFINITIONS

Term	*Definition*
Request for Services	A request for service is an application to have Council or its representative take some formof action to provide a Council service. Council receives thousands of requests for services each year. This will include matters such as hard rubbish collection, street sweeping, pot holes, home care, etc. All requests for services will be logged within the City of Marion Customer Event System, and managed through this process.
Feedback	The City of Marion may receive feedback from customers on services provided. It is important to distinguish between feedback and a complaint. Feedback can take the form of comments, both positive and negative, which do not necessarily require a corrective action, alternation of service

Complaints and Grievance Policy

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Term	Definition
	or a formal review of the decision.
Complaint	A Complaint is defined as an expression of dissatisfaction with a product or service delivered by the Council or its representatives that has failed to reach the standards set, implied or expected. This includes complaints about a service that has been, or should have been delivered.
Grievance	A grievance is defined as a wrong decision or action of Council, Council staff or representative. A grievance often occurs when complaints cannot be resolved or have caused significant distress to the complainant.

~~6.~~7. REFERENCES

- Complaints and Grievance Procedure
- Employee Code of Conduct
- Elected Member Code of Conduct
- Fraud and Corruption Policy
- Whistleblowers Policy

~~7.~~8. REVIEW AND EVALUATION

This policy will be made available to all staff, elected members and the community via theCity of Marion website and ~~intranet~~Internal Register. This policy will be reviewed every ~~three~~ four years in accordance with the Policy Framework. ~~.~~

Complaints and Grievance Procedure

CITY OF MARION

1. ~~Purpose~~Rationale

~~The purpose of this document is to~~To detail the City of Marion's procedures for managing complaints and grievances, to set expectations for customers and staff in how complaints willbe managed, and to explain the procedure so all staff understand their role in the complaint handling process.

2. Procedure Scope and Implementation

This procedure applies to all City of Marion employees (including the CEO), consultants/contractors, volunteers and Elected Members or members of the public who make a complaint. All staff are empowered and encouraged to handle complaints in person in the first instance and it is preferred that they are promptly dealt with at the initial point of contact. This procedure applies to complaints which are not resolved at this first 'local' level and require escalation or referral to other staff or agencies.

~~Reporting and Investigation Procedure~~

An overview of the reporting and investigation procedure is provided on the following pages.

2.1. Making or Receiving a Complaint

A person can make a complaint in person, over the phone or in writing via email or post. If the complaint requires an Internal Grievance Review, the complaint must be submitted in writing. Where required, assistance may be provided in preparing a written complaint, including the provision of interpreters, aids or advocates if necessary.

All complaints will be electronically recorded in the City of Marion records management system to ensure that relevant information can be analysed for any service improvement opportunities.

Often complaints can be resolved at this first point of contact and all council employees are encouraged to promptly address complaints person to person at this local level wherever possible. If the complaint is received in writing, Council staff will acknowledge the receipt of a complaint within one (1) to three (3) working days and, where possible resolve it within this time.

If the complaint is unable to be resolved at this point and requires the provision of further information, escalation to a more senior staff member or a thorough investigation, the following steps will be followed.

2.2. Escalation to Supervisor or Manager for further review

The purpose of this review is to resolve the complaint by reaching a fair and objective view on the issues identified by the complainant and to provide an appropriate solution or remedy.

It is expected that all complaints will be dealt with transparently and within appropriate timeframes. Depending on the nature and complexity of the complaints, Council staff will advise the complainant if the matter will not be resolved within 10 working days and the likely timeframe required to resolve the complaint. Regular progress updates will be provided where necessary. At the conclusion of the investigation, the findings will be communicated to the complainant and they will be offered a resolution.

Complaints and Grievance Procedure

Where a complaint is not resolved to the customers' satisfaction, the decision will be explained clearly and any alternative actions or review opportunities will be provided to the complainant.

2.3. Internal Grievance Review (Review of Decisions pursuant to section 270 of the LocalGovernment Act 1999)

If a complainant is not satisfied with the reviews completed to date or the matter progresses straight to an Internal Grievance Review, then a written grievance may be formally lodged with the ~~Manager Corporate Governance~~Manager Office of the CEO requesting a review of the decision. Requests for review must include:

- a statement clearly indicating which decisions the applicant wishes to be reviewed;
- a statement outlining the reasons why the review is requested;
- any other relevant information; and
- their name and contact details.

Applications for a review of a decision are to be acknowledged within five (5) working days. In the majority of cases, requests for review will be considered and determined within 6 – 8 weeks. Some reviews may take up to six months depending on the nature and complexity of the matter.
Applications must be accompanied by a prescribed fee of $20 as set out in the Local Government (Application for Review Fee) Notice 2021. Council is entitled to waive this fee in exceptional but reasonable circumstances.

Establishing a Review Panel

If determined appropriate, the ~~Manager Corporate Governance~~Manager Office of the CEO will establish an internal review panel of senior staff who have not been involved in the decision making process to date. The Panel will consist of at least three people (including the ~~Manager Corporate Governance~~Manager Office of the CEO) who will bring independent views and opinions regarding the matter.

The Review Panel may seek legal advice on a matter if required.

Referring to an independent investigator

The ~~Manager Corporate Governance~~Manager Office of the CEO may, on a needs basis, refer a matter to an independentinvestigator. The independent investigator may be a:

- Consultant experienced in investigations and reviews
- A lawyer within Councils legal services panel.

Costs associated with this investigation will be incorporated within the Corporate Governance Budget.

Matters can be referred to an independent investigator based on the following:

Complaints and Grievance Procedure

CITY OF MARION

- The complexity of a matter,
- If the matter is time critical,
- If specialist skills and advice is required,
- Matters relating to the decision making or conduct of Council (and Elected Members), the Chief Executive Officer, General Managers or the Manager of Corporate Governance.

Review of Staff or Representative Decision

The grievance will be assessed by the ~~Manager Corporate Governance~~Manager Office of the CEO who will determine~~d~~ if the matter will be reviewed by themselves, an internal review panel or outsourced to an independent investigator.

The complainant will be advised in writing of the process to be undertaken and expected timeframes. The complainant will receive a preliminary report before the matter is finalised as a matter of procedural fairness. A final report will be prepared once feedback has been received on the preliminary report.

In preparing the preliminary report, consultation will occur with staff and elected members involved in the decision making process. This will include the gathering of information, documentation and, if required, an interview and statement from those involved. Staff and elected members will be requested to review the preliminary report prior to it being released to the complainant, for factual accuracy of the matter. The findings and recommendations of the section 270 review must remain independent from those involved in the original decision making process.

The ~~Manager Corporate Governance~~Manager Office of the CEO will advise Council and/or Ward Councillors (as appropriate) of the request to Review a Staff or Representative Decision.

Review of Council or CEO Decision

If an Internal Grievance Review is received for a decision of the CEO or Council, upon receiving the request for review, the ~~Manager Corporate Governance~~Manager Office of the CEO will advise the CEO and Council of the request and conduct a preliminary investigation to prepare a report for the next General Council Meeting, including a recommendation regarding how the review will be undertaken. A review of this nature, will be completed by either an independent investigator oran internal review panel.

Review of ~~Manager Corporate Governance~~Manager Office of the CEO

If the complaint concerns a decision or action of the ~~Manager Corporate Governance~~Manager Office of the CEO, the Chief Executive Officer will assign the matter to be investigated to an appropriate person of their choice.

Complaints and Grievance Procedure

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Standard Process for Investigation

The standard process for investigating a matter will include:

- Establish if the grievance can be determined within the Complaints and GrievancePolicy and Procedure.
- Establish how the matter will be investigated and if a review panel needs to beformed or the matter be outsourced.
- Determine:
  - the scope of the review
  - key decision makers /stakeholders in the process
  - estimated time frame

- Establish the facts including;
  - Obtaining statements from stakeholders
  - Interviewing any relevant staff, elected members or the complainant
  - Establishing legislative framework
  - Gathering facts and information

- Prepare a Preliminary Report that includes:
  - Details of the complaint
  - Scope of the review
  - Details of the investigation
  - Findings
  - Recommendations

  The preliminary report will be reviewed for factual accuracy by staff and elected members involved in the grievance.

  The preliminary report must be provided to the complainant for review for a minimum of 10working days.

- Prepare a final report that includes:
  - Any feedback received from the complainant and undertake any furtherenquires.
  - The final determination of the complaint/grievance.
  - The external review processes if the complaint/grievance remains unresolved.

  The final report must be provided to the complainant in writing (either by email or hardcopy).

Reporting on process improvement, findings and/or recommendations

All findings and/or recommendations from Internal Grievance Reviews that require action willbe tracked to ensure implementation.

Any finding or recommendation not implemented within specified timeframes will be raisedand escalated accordingly.

All Internal Grievance Reviews completed will be reported within the City of Marion's Annual Report.

Complaints and Grievance Procedure

CITY OF MARION

Availability of the Procedure

This procedure will ~~be promoted throughout the City of Marion via the~~be available on the City of Marion website and ~~the organisations through the internal policy register~~available internally on the Policy Register.

3. Review and Evaluation

The review of this Procedure is to be conducted every four~~three~~ years and in accordance with the Policy Framework. An interim review is to be carried out in the event of an amendment to any relevant Acts; or a matter reported via this Procedure is not managed appropriately. ~~Any changes to the document will be submitted to theExecutive Leadership Group (ELT) for approval~~

Council Members Allowances and Benefits Policy

CITY OF MARION

1. POLICY STATEMENT

Council Members should not be out-of-pocket as a result of performing and discharging their official functions and duties.

The City of Marion will ensure that the reimbursement of expenses is accountable, transparent and in accordance with the *Local Government Act 1999* (the LG Act) and the *Local Government (Members Allowances & Benefits) Regulations 2010* (the Regulations).

This policy summarises the provisions of the Act and the Regulations in respect to Council Member expenses and support, specifies the types of expenses to be reimbursed and the process for Council Members to obtain reimbursement of those expenses. In determining this policy Council took into consideration the overall support provided to Council Members pursuant to Sections 76, 77 and 78 of the Act.

2. POLICY

2.1 Allowances

Council Member allowances are determined by the Remuneration Tribunal on a 4 yearly basis before the designated day in relation to each set of periodic elections held under the *Local Government (Elections) Act 1999*. Allowances to Council Members will be paid in quarterly installments, 3 months in advance.

~~*NOTE:*~~ A member of a council who holds office for part only of the period in respect of which an allowance is payable is entitled to the proportion of the allowance that the period for which the member held the office bears to the total period (section 76(11) of the *LG Act)*.

Leave of absence – council member contesting election

If a council member stands as a candidate for election as a member of State Parliament, section 55A of the Local Government Act automatically grants a leave of absence from the date on which nominations for the relevant election close until the result of the election is publicly declared. During the leave of absence period the Council Member:

- is not entitled to receive any Council Member allowance or reimbursement of expenses; and
- must not use any facility, service or other form of support provided by the Council; and
- must not carry out any function or duty as a Council Member

A maximum penalty of $15,000 applies for a breach of this section of the Local Government Act.

Commented [VM1]: Council may wish to include wording referencing S55A - (although this is not required as the provisions are set out in the Local Government Act so will take effect from commencement)

2.2 Mandatory Reimbursements – Travel (Section 77(1)(a))

Council Members are entitled to receive reimbursement for travelling expenses actually and necessarily incurred by the Council Member for travel within the Council area and associated with attendance at a "prescribed meeting" (section 77(1)(a) of the LG Act).

2.2.1 reimbursement for travel expenses is restricted to 'eligible journeys' (as defined in Regulation 3) provided the journey is by the shortest or most practicable route and to that part of the journey within the Council area i.e. any travelling outside the Council area in order to attend Council or Council committee meetings is not reimbursable under section 77(1)(a) of the LG Act. For

2.2.2 reimbursement for travel outside the Council area refer to "Prescribed and Approved Reimbursements" below.

2.2.3 where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre (determined according to the engine capacity of the vehicle) prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth.

2.2.4 travelling by taxi, bus or other means of public transport is reimbursed on the basis of expenses 'actually and necessarily incurred', but is still limited to 'eligible journeys' by the shortest or most practicable route and to the part of the journey that is within the Council area.

2.2.5 the Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and then pay them on either a quarterly or monthly basis.

2.3 Mandatory Reimbursements – Child/Dependant Care (Section 77(1)(a)

Council Members are entitled to reimbursement for child/dependant care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Member's attendance at a prescribed meeting. Child/dependant care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

To receive reimbursement for such prescribed expenses (travel and child/dependant care) each Council Member is required to complete a Form 1 and submit it to the Council Support Unit. For the purposes of administrative efficiency Council Members are requested to submit these forms on a quarterly basis.

2.4 Prescribed and Approved Reimbursements (Section 77(1)(b))

Additional prescribed expenses incurred by Council Members, will be reimbursed by the Council that do not fall within the category of mandatory reimbursement outlined above.

Section 77(1)(b) of the LG Act provides that the Council (meaning the Council as the governing body) may approve the reimbursement of additional expenses as set out in the Regulations incurred by Council Members, either on a case-by-case basis or under a policy adopted by Council. This Policy sets out the types of approved expenses that may be reimbursed.

These additional types of reimbursed expenses are distinguished from the payment of allowances and from the mandatory reimbursement of travel and child/dependent care expenses associated with attendance at a prescribed meeting.

Regulation 6 of the Regulations sets out the types of additional expenses that may be reimbursed under section 77(1)(b) with the approval of the Council. These are:

- an expense incurred in the use of a telephone, facsimile or other telecommunications device, or in the use of a form of electronic communication, on the business of the Council;
- travelling expenses incurred by the Council Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act);
- travelling expenses incurred by the Member in undertaking an eligible journey to the extent that those expenses are attributable to travel outside the area of the Council;

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- expenses for the care of:

  (i) a child of the Member; or

  (ii) a dependent of the Member requiring full-time care

  incurred by the Member as a consequence of the Member's attendance at a function or activity on the business of the Council (other than for which the member is reimbursed under section 77(1)(a) of the LG Act); and

- expenses incurred by the Member as a consequence of the Member's attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles and duties of a Council Member (other than for which the member is reimbursed under section 77(1)(a) of the LG Act).

For the purposes of this Policy, and pursuant to section 77(1)(b) of the LG Act, the Council approves the reimbursement of additional expenses of Council Members as described below.

2.5 Travel

Pursuant to section 77(1)(b) of the LG Act the Council approves reimbursement of:

- Travel expenses related to attendance at a "prescribed meeting" being an "eligible journey" (as defined in Regulation 3), as it is attributable to travel outside the Council area, up to a maximum of $50 or 20km per return.

Reimbursement is restricted to the shortest or most practicable route.

Travel by air, approved by the Council, will be economy class for domestic travel and business class for international travel. Travel may be at a higher class where appropriate, for instance if travelling with a party also travelling business or first class.

2.6 Child and Dependant Care

Expenses incurred for the care of a child of the Council Member or a dependant of the Member requiring full time care as a consequence of the Council Member's attendance at a "function or activity on the business of Council" except where that care is provided by a relative who ordinarily resides with the member.

2.7 Conferences/Seminars/Training

Expenses incurred by the Member as a consequence of the Council Member's attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance or discharge of the roles or duties of the Member. Expenses will only be reimbursed for attendance at conferences, seminars, etc which have been approved under Council's 'Professional Development - Elected Members' Policy. The following types of expenses will be reimbursed:

- Airfares / train fare / bus fare
- registration fees
- accommodation
- meals*
- taxi fares

- car parking
- incidentals*

* Meals and incidentals will be reimbursed up to the amounts recommended by the Australian Taxation Office in accordance with Subdivision 900-B of the Income Tax Assessment Act 1997 (with the exception of meals included as part of a conference or seminar etc registration as these will be reimbursed in full).

2.8 Facilities and Support

In addition to allowances and the reimbursement of expenses, the LG Act provides that the Council can provide facilities and forms of support for use by its Council Members to assist them to perform or discharge their official functions and duties (section 78).

The Council must consider and specifically approve the particular facility and support as necessary or expedient to the performance or discharge of all Council Members' official functions or duties. In approving the provision of facilities and support section 78 requires that any such services and facilities must be made available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out below (if any).

Pursuant to section 78 of the LG Act, Council has considered and is satisfied that the following facilities and support are necessary or expedient for all Council Members to assist them in performing or discharging their official functions and duties:

2.8.1 Each Council Member will be entitled to a Smart phone connected to the Corporate Mobile Phone Plan. Council Members may choose to bring their own device. Re-imbursement for Council Members own devices will be to a maximum equivalent of the Corporate Mobile Phone Plan.

2.8.2 Each Council Member will be entitled to a tablet device and corporate date plan for the purposes of Council business including but not limited to accessing corporate email, calendar and downloading minutes and agendas. Council Members may choose to bring their own device. Re-imbursement for Council Members own devices will be to a maximum equivalent of the Corporate Data Plan.

2.8.3 A laptop and corporate date plan for the purposes of Council business including but not limited to accessing corporate email, calendar and downloading minutes and agendas.

2.8.4 During declared emergency periods where Council conducts Council Meetings, Committee Meeting and other forums/meetings via electronic means, the Council will reimburse the elected member 50% or up to $50 per month for the cost of their home internet (whichever is the lesser amount).

2.8.5 Ongoing support and training

2.8.6 Corporate approved applications Microsoft Office

2.8.7 Reimbursement of up to $200 per annum for on-line subscriptions/applications

2.8.8 A Council land line will be provided to each Council Member and diverted to their mobile number of choice or telephone land line for Council business at a Council Members' place of residence. This provides ratepayers with a landline to contact Council Members on.

2.8.9 All conference rooms in the Council offices can be booked by Council Members, if available,

Council Members Allowances and Benefits Policy

2.8.10 for meetings with residents and key stakeholders. This does not include Council Members booking rooms on behalf of third parties.

2.8.11 Up to 50 Christmas cards, as approved by the Mayor, and envelopes of standard size each year and postage.

2.8.12 Individual electronic Council Members' letterhead will be supplied. The electronic letterhead will not incorporate the City Of Marion logo.

2.8.13 Business cards

2.8.14 Envelopes and postage facilities for Council business only.

2.8.15 A meal and drinks will be provided where appropriate while attending Council meetings, Council Committee meetings, briefings and workshops.

2.8.16 Council Members will be offered the influenza vaccination through an annual onsite influenza vaccination clinic. Council Members who are unable to attend the onsite influenza vaccination clinic are able to obtain an influenza vaccination through an external provider and are eligible for a reimbursement, through provision of a tax receipt, up to the cost of an individual vaccination at the onsite influenza vaccination clinic, currently $18.00.

2.8.16 Council Members will be offered an annual online Adelaide Now Subscription through a corporate account for up to $200 per Council Member, per year.

The provision of these facilities and support are made available to all Council Members (including the Principal Member) under the LG Act on the following basis:

- they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties;
- the facilities remain the Council's property regardless of whether they are used off site or not; and
- they are not to be used for a private purpose or any other purpose unrelated to official Council functions and duties, unless such usage has been specifically pre-approved by the Council and the Council Member has agreed to reimburse the Council for any additional cost or expenses associated with that usage.

2.9 Mayoral Support

In addition to the above, Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member's absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties:

- Office space
- Additional quantity of Corporate Christmas cards to send on behalf of the City of Marion
- Administrative support in accordance with Council's budget.
- Mayoral letterhead
- a motor vehicle with an overall rating of 4 stars or greater according to the Australian Government Green Vehicle Guide up to the value of the top of the range Mitsubishi Outlander vehicle for the Mayor's Council business use. Personal use of the vehicle by the Mayor and Mayor's immediate family is permitted if the Mayor reimburses the Council. If there is no

- evidence to the contrary, payment of 50% of running costs incurred by Council (eg petrol, tyres, servicing) shall be deemed adequate reimbursement for the purpose of this clause.

3. EXCLUSIONS

The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstances on the basis it is not necessary or expedient to the performance or discharge of a Council Member's official functions or duties under the LG Act. The use of such facilities for electoral purposes during the election period would be a breach of section 78(3) of the LG Act.

4. REIMBURSEMENT AND RECORDS MANAGEMENT

4.1 Claims for Reimbursement

Council Members are required to provide details of kilometres travelled and/or evidence of expenses incurred to support all reimbursements claimed. All claims for reimbursement must be submitted to the Chief Executive Officer (or other nominated and delegated officer) on the form/s provided for this purpose on a quarterly basis for the purposes of maintaining the Register of Allowances and Benefits.
Reimbursement of expenses will only be paid to a Council Member upon presentation of the form/s and adequate evidence supporting the claims made.

4.2 Reimbursement to Council

Any additional cost or expenses associated with a private purpose or any other purpose unrelated to official Council functions and duties must be reimbursed to Council by 30 June in the year that the cost or expense was incurred.

4.3 Other Reimbursements

Any additional reimbursements and facilities and support not detailed in this Policy will require the specific approval of Council prior to any reimbursements being paid, benefits being received and facilities and/or support being provided.

4.4 Register of Allowances and Benefits

Pursuant to section 79(1) and (2) of the LG Act, the Chief Executive Officer must maintain a Registerin which he or she shall ensure that a record is kept of—

(a) the annual allowance payable to a Council Member (in the case of section 79 (1)(a)); and

(b) any expenses reimbursed under section 77(1)(b) of the LG Act (in the case of section 79(1)(b)); and

(c) other benefits paid or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or

(d) to make a record of the provision of a reimbursement or benefit not previously recorded in the Register (in the case of section 79(2)(b)),

on a quarterly basis (see regulation 7 of the Regulations).

Council Members Allowances and Benefits Policy

The Chief Executive Officer is required to record in the Register any changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members. Accordingly, the Chief Executive Officer will update the Register each quarter and therefore each Council Member is required to provide his or her claim form for reimbursement to the Council Support Unit by the last business day of each quarter.

The Register of Allowances and Benefits is available for inspection on the City of Marion website and will be updated quarterly.

5. SUMMARY

In addition, although not required by the LG Act, the Council has determined that the provision of the above facilities and support are made available to Council Members on the following terms:

- each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office;
- all facilities must be returned to the Council at the end of each term in office, upon the office of a Member of a Council becoming vacant, or earlier at the request of the Chief Executive Officer;
- if the facilities provided to the Council Member are damaged or lost the Council Member must lodge a written report with the Council officer responsible for this Policy (whose name is detailed at the end of this Policy).

6. DEFINITIONS

Term	*Definition*
The Act	The Local Government Act 1999
Regulation	Refers to the stated regulation of the Local Government (Members Allowances &Benefits) Regulations 2010.
Eligible Journey	means "a journey (in either direction) between the principal place of residence, ora place of work, of a member of a council, and the place of a prescribed meeting" (Regulation 3)
Prescribed Meeting	means "a meeting of the council or council committee, or an ~~informal gathering~~information or briefing session, ~~discussion, workshop, briefing, training course or similar activity~~ which is directly or closely related to the performance or discharge of the roles or duties of the member." (Regulation 3)

7. REFERENCES

Local Government Act 1999 (Sections 4, 55A, 76, 77, 78, 79, 80)

Local Government (Members Allowances & Benefits) Regulations 2010

Council Members Allowances and Benefits Policy

Income Tax Assessment Act 1997 (Section 28.25)

~~*Professional Development - Elected Members Policy*~~
Council Member Professional Development Policy

8. REVIEW AND EVALUATION

This Policy will lapse at the next general election at which time the newly elected Council will be required to adopt a new policy dealing with Council Member's allowances, reimbursements and benefits for their term in office (section 77(2) LG Act).

Election Signs General Approval Guidelines

CITY OF MARION

GENERAL APPROVAL TO PLACE ELECTION SIGNS ON ROADS AND ROAD INFRASTRUCTURE

Commented [VM1]: These Guidelines were produced by the LGA – can we amend?

These Guidelines operates to provide a **General Approval** to authorise the placement or affixation of moveable signs, advertising only candidates for a State or Federal election (excluding Local Government elections), on a road or onto infrastructure on a road owned by the Relevant Authorities. Provided that the requirements of these Guidelines are fully complied with, it is **not** necessary to make application to the Council or the Relevant Authorities for permission to display moveable election signs in this manner.[1]

In accordance with Section 226 (2a) of the *Local Government Act 1999* a person must not exhibit an electoral advertising poster relating to an election held under this Act or the *Local Government (Elections) Act 1999*, on a public road (including any structure, fixture or vegetation on a public road), except in circumstances prescribed by the regulations.

OBJECTIVES & SCOPE

SA Power Networks (SAPN) and the Department of Planning, Transport and Infrastructure (DPTI) (the Relevant Authorities) own the relevant infrastructure installed on roads (ie light poles, stobie poles). This means that, as above, the permission of the Relevant Authorities is required to displaya moveable sign on their infrastructure.

The Relevant Authorities have, by way of adopting Instruments of General Approval, determined to grant their permission for moveable signs to be affixed to their infrastructure subject to various conditions. The Relevant Authorities have authorised SA Councils to regulate the display of moveable signs on their infrastructure (including by way of enforcing compliance with these conditions).

The objectives of these Guidelines are to:

- provide clarity regarding the legal position with respect to the placement of election signs on roads and road-related infrastructure in the Council's area and to provide a General Approval for the placement of election signs on roads and road infrastructure during an election period, provided the signs comply fully with all conditions;
- establish, with the relevant consents of SA Power Networks and Transport Services Division of the Department of Planning, Transport and Infrastructure (DPTI) conditions of General Approval for the display of such election signs on infrastructure on a road (provided that the conditions are fully met);
- ensure a consistent and equitable approach to the management of election signs for all parties and candidates in an election irrespective of political persuasion or other platform; and
- minimise any threat to public safety from the placement of the election signs.

[1] All fixtures and equipment installed in, on, across, under or over a public road by the provider of public infrastructure are owned by the provider of that infrastructure, not by the Council (section 209(1) of the LocalGovernment Act 1999).

Election Signs General Approval Guidelines

CITY OF MARION

THE LAWFUL DISPLAY OF SIGNS & THE OPERATION OF THE GUIDELINES

A **moveable sign** advertising candidates for election may be placed on a road **without** the Council's permission provided that it complies with the council's by-laws (section 226(1) of the Local Government Act).

Signs such as corflutes that are advertising candidates for election and which do not comply with council's by-laws, may be placed on a road **without** the Council's permission provided that:

- the sign is related to a State or Commonwealth election and is displayed during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day; ~~or~~
- ~~the moveable sign is related to an election held under this Act or the *Local Government (Elections) Act 1999* and is displayed during the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day –~~

  and, the moveable sign does not unreasonably:

  - restrict the use of the road; or
  - endanger the safety of members of the public.[2]

If a moveable sign displayed on a road does not satisfy the above requirements, an authorised person of the Council may order the owner to remove the sign, or if the owner is unknown or fails to comply immediately with the order, may remove and dispose of the sign.

An election sign **cannot** lawfully be placed on, or affixed to, infrastructure on a road without the permission of the owner of that infrastructure.

In general terms, a person does not have the right to interfere with another person's property. This extends to a person interfering with infrastructure (i.e. such as by affixing an election sign to it) thatis owned by another person.

~~**DATE FOR THE ERECTION OF ELECTION SIGNS FOR LOCALGOVERNMENT ELECTIONS**~~

~~For the 2018 local government periodic election, the polling day (being the day of close of voting) is Friday 9 November 2018. Elections signs may be erected during the period commencing 4 weeks immediately before polling day.~~

~~**This means that election signs can be erected at or after 12 October 2018.**~~

[2] This is consistent with sections 226(3) and 227(1)(d) of the Local Government Act 1999.

Election Signs General Approval Guidelines

CITY OF MARION

THE GENERAL APPROVAL FOR DISPLAY OF SIGNS ON ROAD INFRASTRUCTURE

This **General Approval** is given for election signs to be posted, affixed to or erected on infrastructure that is owned by SAPN or DPTI and installed on a road owned by the Council; subjectto compliance with the following conditions:

Election Signs must:

1. be no more than 1 square metre in area. A back-to-back sign facing two directions is considered to be one sign for this purpose.

    a. *Note: Places designated as polling booths/places for Federal and State Elections and Referenda will not be subject to this requirement on polling day only;*

2. only be displayed, in the case of State and Commonwealth elections during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day. Should they not be removed within two days (48 hours of the close of voting) they will be considered illegal signs/posters;

~~3. only be displayed, in the case of Local Government elections, during the period commencing 4 weeks immediately before the date set for polling day and ending at the close of voting on polling day. Should they not be removed within 2 days (48 hours of the close of voting) they will be considered illegal signs/posters;~~

~~4.~~3. comply with all legislative requirements relating to the publication of 'electoral material' as defined in relevant legislation;

~~5.~~4. be securely fixed or posted and maintained in good repair and condition at all times;

~~6.~~5. be designed, made, and presented in a quality manner (the intent is that signs must not tear apart and become a danger to road users and end up as litter);

~~7.~~6. contain clear and legible writing or symbols. An authorised officer will determine whether a sign is clear and legible for these purposes;

~~8.~~7. contain on the face of the sign the name, phone/email and address of both the person authorising the promotional material (the publisher) and the printer of it; and

~~9.~~8. be fastened securely so that they cannot become detached in high winds and endanger Council, SAPN or DPTI property or equipment or pose a danger to the public.

~~10.~~9. be installed, maintained and removed in a safe manner without endangering personal andcommunity safety.

Election Signs General Approval Guidelines

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Election Signs must not:

1. be illuminated (internally or indirectly), move, flash, rotate, or reflect so as to be an undue distraction to drivers;
2. be self-adhesive. All individual promotional material affixed under the terms of this consent may only be affixed by non-invasive means that do not cause damage of any type to the structure to which the material is affixed. If a paste is to be used, it must be of a water based/wallpaper type (or similar);
3. be affixed under any circumstances to trees, shrubs, or other plants or at any location that may cause damage to Council, SAPN or DPTI property;
4. be placed on a carriageway, dividing strip (median), traffic island, roundabout, or within 50 metres of a signalised intersection, level crossing, roundabout or pedestrian activated crossing, or on the South-Eastern Freeway, the Southern Expressway, the Port River Expressway, the North-South Motorway (Superway) or the Northern Expressway;
5. be placed within 6 metres of an intersection or junction, or in any other location that may pose a hazard to pedestrians or road users;
6. be attached to any traffic control device, street name, traffic direction or parking sign or to the associated pole;
7. be erected on poles or towers carrying electricity transmission lines (these are generally lines utilising greater span lengths with significantly taller poles or towers supporting electrical wires);
8. be attached to SAPN pad-mounted transformers or switching cubicles;
9. be attached to the fences of any fenced SAPN equipment including substations, transformer stations and regulator stations;
10. be placed so as to cover any Council, SAPN or DPTI numbering, signs or other markings;
11. be placed on DPTI structures with the exception of “gooseneck” light poles belonging to DPTI. Structures which belong to DPTI, include road bridges on arterial roads, traffic control boxes, traffic signal poles, signal boxes, traffic signs, directional and information signs, and other traffic control devices, guide posts, traffic barriers and pedestrian fences located within the road reserve;
12. be placed in a location on a pole or fence so as to aid the climbing of the pole or fence;
13. be placed so as to restrict the sight distance for road users and pedestrians crossing the road;
14. compete with or reduce the effectiveness of other signs and traffic control devices;

Election Signs General Approval Guidelines

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15. resemble a traffic control device, or reasonably be capable of being mistaken as a traffic control device (must not be affixed on the diagonal); or

16. advertise any organisation other than a registered political party or candidate.

Where signs are fixed or posted on poles adjacent to footpaths or roadways such signs must not be lower than 2 metres and a maximum height of 3 metres from the ground with nothing above the sign to affix it or anything else to the pole. Signs must have a minimum clearance of 3 metres from any overhead mains. There is a total prohibition on any part of the sign being higher than 3 metres from the ground.

The person (including, as necessary, the relevant political party) responsible for the sign must maintain the sign. The person or political party is also responsible for ensuring that safety is maintained (and the Australian Road Rules complied with) whilst the sign is being installed, maintained or removed and no traffic disruption is to occur during the installation, maintenance or removal process.

This general approval does not extend to railway or tramline structures such as level or pedestrian crossings, bridges, stations, signalling equipment or fences adjacent to railway and tram lines. In this regard, information on the various rules and if appropriate, permission to enter or erect signs in these areas must be obtained from the relevant rail authority. In metropolitan Adelaide, this is (*in most instances*) either the Public Transport Services Division or the Australian Rail Track Corporation.

The person(s) responsible for the sign and/or any persons acting on their behalf, including by way of causing the sign to be displayed:

- accepts(s) that the display of the election sign must be in accordance with this General Approval and by displaying the sign, agrees to comply with the terms of this General Approval;

- accept(s) full responsibility for any personal injury, property damage or other loss in any way arising out of or consequent upon the erection, removal or display of signs; and

- acknowledge(s) that the Council, SA Power Networks or DPTI have no liability or responsibility in relation to such matters whatsoever; and

- such person(s) agree(s) to indemnify the Council, SAPN and DPTI against any such personal injury or property damage or other loss incurred by the Council, SA Power Networks or DPTI and against any third party claims arising out of or consequent upon the erection, removal or display of signs.

SAPN may direct the immediate removal of any signs or remove or cause to be removed any signs without notice from any poles or structures owned or managed by SAPN.

DPTI may direct the immediate removal of any signs or remove or cause to be removed any signs without notice from any poles or structures owned or managed by DPTI.

Election Signs General Approval Guidelines

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If SAPN or DPTI removes any signs under the General Approval, SAPN and DPTI may dispose of the sign as its sees fit.

The person or party responsible for the sign must remove all parts of the sign and fixtures from thesite within 48 hours from the close of voting in the relevant election;

Installing, maintaining and removing signs must **not** be carried out between 7.00am and 10.00am orbetween 3.00pm and 7.00pm Monday to Friday on a peak flow traffic lane; and

A breach of, or non-compliance with, any of the conditions of the General Approval will invalidate theGeneral Approval and will result in the removal of the sign.

COUNCIL OWNED LAND / PRIVATE LAND

No election signs may be placed on Council-owned land or infrastructure or on private land or infrastructure without the permission of the Council or the private land-owner, as the case may be.

ILLEGAL SIGNS

New penalties from 1 July 2017

Under section 23 of the Local Nuisance and Litter Control Act 2016, which commenced operation on1 July 2017, it is an offence to 'post a bill' (erect an election sign) on property without the consent of the owner or occupier of the property. This offence applies to all election signs that are erected on roads or road infrastructure outside of the election period.

The 'consent of the owner' (ie Councils, DPTI, SAPN), under this General Approval, is limited to theperiod prescribed in section 226(3) of the Local Government Act 2016. Election signs erected outside of that period will be deemed to have been erected without the consent of the owner.

Max penalty - $10,000, expiation fee $315.

If an election sign is erected in contravention of section 226(2a) of the *Local Government Act 1999*, except in circumstances prescribed by the regulations, the maximum penalty is $5,000

~~outside the election period provided for in section 226(3) of the Local Government Act, a person who distributed or authorised the distribution of the bill for posting is guilty of an offence. Max penalty - $2,000 for a body corporate, $10,000 for an individual.~~

If the Council determines or suspects that an election sign:

- has been affixed or displayed in a manner that restricts the use of a road or endangers the safety of the public; or
- has been affixed or displayed contrary to the General Approval or otherwise without the Council's, DPTI's or SAPN's consent-

Election Signs General Approval Guidelines

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Council authorised employees may:

- Notify the organisation/persons responsible for the election sign by phone/facsimile and request the removal of the sign within 24 hours.
- If the election sign is not removed within 24 hours, cause the offending sign to be removed. If urgent action is required to avoid a risk to public safety the Council may remove the offending election sign without first requesting its removal.
- Under section 23 of the Local Nuisance and Litter Control Act, issue an expiation notice to any person who has erected an election sign without the permission of the owner
- Prosecute any person who has distributed or authorised the distribution of the bill (election sign) for posting.

The Relevant Road Authority (DPTI, Commissioner for Highways, Council) may:

- remove any sign that constitutes a hazard; and
- dispose of the sign. (See section 31(2) of Road Traffic Act and section 227 of the Local Government Act)

DEFINITIONS

For the purposes of these Guidelines, the following definitions apply:

Term	*Definition*
Act	means the; *Local Government Act 1999*
Election	means any elections, referenda and/or polls as they relate to Federal or, ~~or~~ State ~~or Local~~Governments; (excludes Local Government)
Election sign includes a moveable sign as defined below and any other	election sign(whether moveable or not) that is intended to affect the result of an election referendum or poll;
General Approval	means the approval or permission of the Relevant Authority that operates these Guidelines to allow moveable signs to be affixed to infrastructure installed on a road subject to the conditions stated therein.
Infrastructure	means fixtures and equipment installed on roads and includes, without limitation, poles, light poles, traffic signs, traffic lights, traffic control boxes, and other traffic control devices, transformer boxes, trees, fences, bridges, whether owned or under the care,control or management of SA Power Networks, DPTI or the Council;

Election Signs General Approval Guidelines

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Term	*Definition*
Moveable sign	means a moveable election advertisement, notice or election sign which is intended to affect the result of an election or poll and which can be moved or removed without causing any damage to the infrastructure or land upon which it is placed or to which it is attached, whether free-standing or not;
Pole	means a stobie pole or a light pole for the purposes of these Guidelines, whether ownedor under the care, control or management of SA Power Networks or DPTI;
Relevant Authority	means SA Power Networks (SAPN) or Department of Planning,Transport and Infrastructure (DPTI) or Commissioner for Highways;
Road	has the same meaning as under the Act – being: *a public or private street, road or thoroughfare to which public access is available on acontinuous or substantially continuous basis to vehicles or pedestrians or both and includes -* • *a bridge, viaduct or subway; or* • *an alley, laneway or walkway;* • *and for the purposes of clarification extends from property boundary to propertyboundary –* Note that this definition encompasses footpath areas.

Council Member Code of Practice – Procedures at Council Meetings

CITY OF MARION

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Council Member Code of Practice – Procedures at Council Meetings

CITY OF MARION

RATIONALE

The role of a council is to manage its local area by acting as an informed representative and responsible decision-maker in the best interests of its community. Council can only make decisions and act through a majority vote of the Council (or Committee). The effectiveness of Council Meetings directly contributes towards accountability to the community.

Council meeting procedures are largely determined by the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations). In addition to the requirements of the Regulations, this Code of Practice identifies a number of discretionary procedures adopted by Council for Councilmeetings.

POLICY STATEMENT

Procedures at Council meetings are regulated by the *Local Government (Procedures at Meetings) Regulations 2013*. In accordance with these Regulations, Council is able to set discretionary procedures pursuant to Regulation 6. This Code of Practice is made pursuant to this Regulation and has been passed by a two thirds majority of Council Members.

The provisions set out in this Code of Practice reflect the provisions of the Regulations (including numbering) except where Council has utilised its discretionary powers. Regulations that have been varied by Council under these powers are highlighted in **bold** in this document.

OBJECTIVES

Guiding Principles
Council's approach to the conduct of its meetings adopts the ***Guiding Principles*** contained within the *Local Government (Procedures at Meetings) Regulations 2013* which state:

- Procedures should be fair and contribute to open, transparent and informed decision making;
- Procedures should encourage appropriate community participation in the affairs of the council;
- Procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- Procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

Council Member Code of Practice – Procedures at Council Meetings

CITY OF MARION

PROCEDURES AT COUNCIL MEETINGS

1. City of Marion General Procedures

1.1 Council Meeting Close Time

Where Council meetings continue to 9.30pm, unless there is a specific motion adopted at the meeting to continue beyond this time, the meeting will be adjourned to a date and time specified as part of the motion.

1.2 Publication of Council Agenda

Council meeting Agendas will be uploaded to Council's website at least three clear days before the meeting and a copy can be requested (on a payment of a fee 'if any) fixed by the council). ~~and available for inspection upon request.~~

1.3 Late Items (Reports)

Late items (reports) listed on a circulated Agenda will be emailed and/or delivered to members prior to the scheduled meeting. Late reports will only occur where information has not been provided in time for the delivery of the Agenda and where an urgent Council decision is required.

1.4 Council Member Verbal Communications

Council Member has the right to speak for up to two minutes in the second meeting of Council every second month from February (with the exception of caretaker period).

1.5 Council Committee Reporting Obligations

Council Committees will report to Council in the form of the minutes from each committee meeting. The minutes will be received and noted. Any matters discussed by the Committee where a Council resolution is required is to be considered as separate resolutions to the receiving and noting of the Committee minutes.

1.6 Moving Items "En Bloc"

Items listed on the Agenda for Council consideration may be "moved en bloc".

1.7 Confidential Items (Section 90(2) *Local Government Act 1999*)

Any item that has been identified as potentially confidential may include a report from the CEO that identifies the reason why the report should be discussed with the exclusion of the public.

Any recommendation to consider an item in confidence will be presented to Council or

Committee in accordance with the requirements under the Act.

The Council or Committee will consider the recommendation of the CEO and determine whether the matter will be considered in confidence. This section should be read in conjunction with Council's Code of Practice – Access to Council and Committee Meeting Documents,which outlines how Council or Committee may apply the confidential provisions of the Act and restrict public access to the specific matter under consideration (and any associated documents).

A motion to move into confidence will not be considered a procedural motion and debate may occur on the motion to allow for sufficient consideration and a determination to be made which satisfies the clauses of the Act.

2. Commencement of Meetings and Quorums

Regulation 7

A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

2.1 If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.

2.2 If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the Chief Executive Officer, will adjourn the meeting to a specified day and time.

2.3 If a meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

2.4 council members who are suspended from office and those granted a leave of absence under section 55A are not to be counted in the total number of members of the council when calculating the prescribed number of council members that constitutes a quorum.
~~2.3~~

~~2.4~~2.5 If a meeting is adjourned to another day, the Chief Executive Officer must-

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

3. Minutes

Regulation 8

3.1 The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

3.2 No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

3.3 On the confirmation of the minutes, the presiding member will-

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

3.4 The minutes of the proceedings of a meeting must include-

(a) The names of the members present at the meeting; and

(b) in relation to each member present -

i. the time at which the person entered or left the meeting; and

ii. unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(c) each motion or amendment, and the names of the mover and seconder; and

(d) any variation, alteration or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under subsection (2) of section 90 of the Act (*see* subsection (7) of that section); and

(i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

(j) details of any adjournment of business; and

(k) a record of any request for documents to be tabled at the meeting; and

(l) a record of any documents tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation including:

i. a question on notice asked by a Council Member of which ~~five~~ seven clear days notice has been given together with the reply provided (refer also to Clause 4.2(b) of this Code of Practice).

ii. if resolved by Council Members present at the meeting at which the question is asked, details of a question without notice together with the reply provided (refer also to Clause 4.5 of this Code of Practice).

iii. In the event that a division is called by a member, the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote) (refer also to Clause 12.4 of this Code of Practice)

3.5 The minutes of relevant Council meetings will also include:

(a) **Council Member communication reports to the following extent:**

i. **The Mayor's, Deputy Mayor's and Council Member reports (only the subject matter) where those reports have been provided in writing to the minute taker by 12 noon on the Wednesday next following the meeting.**

ii. **Types of activities to be included in reports are those attended by Council Members in their Representative or Civic capacity only. Examples include:**

- Civic activities (e.g. citizenship ceremonies)

- Meetings with external bodies attended as Council Liaison

- Meetings with residents

- Training sessions attended

Attendance at Council meetings will not be recorded. Attendance at Development Assessment Panel or Committee meetings will be recorded.

(b) **The name of a person or persons (representor) making a deputation. However, the details of the content of the deputation will not be included (refer also to Clause 6.9 of this Code of Practice).**

(c) **The time at which each item commences**

3.6 Minutes will be forwarded by email to Council Members to confirm accuracy and then placed on Council's website by 5.00pm on the Friday next following the meeting, or at the latest, within five days after the meeting.

3.7 The minutes of the meetings will not include:

(a) **Apologies received from Council Members**

(b) **Leave of Absences (except with the leave of the meeting)**

(c) **Voting Patterns other than Divisions or as required by legislation**

4. Question

Regulation 9

4.1 A member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least ~~five~~ seven clear days before the date of the meeting at which the questionis to be asked.

4.2 If notice of a question is given under Clause 4.1:

(a) the Chief Executive Officer must ensure that the question and answer is placed on the agenda for the meeting at which the question is to be asked; and
(b) the question and the reply must be entered in the minutes of the relevant meeting (refer also to Clause 3.4(n)(i) of this Code of Practice).

4.3 In relation to Questions with Notice, all questions and answers will be included in the agenda papers and the minutes therefore will not be read out at the relevant meeting.

4.4 A member may ask a question without notice at a meeting.

4.5 Members are able to ask a maximum of three Questions without Notice at a Council meeting except with the consent of the meeting.

4.6 The presiding member may allow the reply to a question without notice to be given at the next meeting.

4.7 Questions without Notice that were not answered at the same meeting will be entered into a register. This register will be tabled as an information report at the following meeting.

4.8 A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made (refer also to Clause 3.4(n)(ii) of this Code of Practice).

4.9 The presiding member may rule that a question with or without notice not be

answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

4.10 Questions may be asked prior to the moving of a motion or during a debate on a motionfor clarification purposes only. Such questions are not considered "questions without notice" as described in Clauses 4.4, 4.5, 4.7 and 4.8 of this Code of Practice.

4.11 In asking a clarification question a member will not be considered to be speaking to the motion.

4.12 Council Members may not express an opinion when seeking clarification but can provide factual / contextual background at the discretion of the Chair.

4.13 A maximum of two clarification points may be asked by individual members in relationto each motion except with the consent of the presiding member.

Members are encouraged to seek answers to questions prior to the Council meeting.

Regulation 1

5 Petitions

5.1 A petition to the council must-

(a) be legibly written or typed or printed; and

(b) clearly set out the request or submission of the petitioners; andinclude the name and address of each person who signed or endorsed the petition.

(c) be addressed to the council and delivered to the principal office of the council.

5.2 If a petition is received as detailed in 5.1, the Chief Executive Officer must ensure that the petition or a statement as to the nature of the request or submission and the number of signatures is placed on the agenda for the next ordinary meeting of the council.

5.3 Where further investigation is required on issues raised in a petition, the petition will be provided to the next meeting of Council from receipt of the petition to note the petition and a report providing further detail will be provided to Council once investigations have been completed.

5.4 On initial receipt of the petition, a summary and the first page only will be provided to Council. When the matter is considered the entire petition will be attached to the report.

6 Deputation

Regulation 11

6.1 A person or persons wishing to appear as a deputation at a meeting must deliver (to

the principal office of the council) a written request to the council.

6.2 The Chief Executive Officer must transmit a request received as detailed in Section 6.1 to the presiding member.

6.3 The presiding member may refuse to allow the deputation to appear at a meeting.

6.4 The Chief Executive Officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

6.5 If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council.

6.6 The council may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

6.7 A council may refer the hearing of a deputation to a council committee.

6.8 A deputation must not exceed five minutes except with the consent of the meeting.

6.9 The name of the representor will be recorded in the minutes of a Council meeting however, the details of the content of the deputation will not be included (refer also to Clause 3.5(b) of this Code of Practice).

7 Motions

Regulation 12

7.1 A member may bring forward any business in the form of a written notice of motion.

7.2 The notice of motion must be given to the Chief Executive Officer at least seven~~five~~ clear days before the date of the meeting at which the motion is to be moved.

7.3 A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last periodic election of the council must be brought by written notice of motion.

7.4 If a motion as detailed in Clause 7.3 is lost, a motion to the same effect cannot be brought-

(a) until after the expiration of 12 months; or

(b) until after the next periodic election, whichever is the sooner.

7.5 Where a notice of motion has been given by a member who is not present at the meeting the notice of motion may be moved by any other member present at the meeting.

7.6 Notice of motions cannot be added to on the night of the meeting where the notice of motion is presented. Additions to notices of motions will be dealt with separately as a motion without notice.

7.7 Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.

7.8 The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

7.9 The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council.

7.10 A motion without notice may not be accepted, where in the opinion of the presiding member, the motion relates to a significant issue or substantive information is required in order to make an informed decision on the motion (Refer Clause 7.8 above). Such issues should be provided as written notices of motion.

7.11 A motion will lapse if it is not seconded at the appropriate time.

7.12 A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion for no longer than two minutes (clause 10.1). If further time is required, it will be considered by the presiding member and granted at their discretion to a total maximum of five minutes.

7.13 If the motion is seconded, the common practice of the meeting will be to put the motion without further debate/discussion unless there is a speaker against the motion.

7.14 The common practice of the meeting will be to alternate speakers for and against the motion until the debate is complete.

7.15 At the conclusion of the debate, if a member who has not already spoken wishes to raise a new matter that has not been covered in previous debate/discussion or a matter considered of high importance, they will be permitted to speak for a maximum of two minutes.

7.16 A member may only speak once to a motion except –

(a) To provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or

(b) with leave of the meeting; or

(c) as the mover in reply.

(d) for the mover who may exercise a right to speak in closing the debate.

for no longer than two minutes (Clause 10.1). The period of speaking may be extended with the consent of the presiding member.

7.17 In exercising the right of reply (Clause 7.16) the mover must confine the remarks to responding to the issues raised in the debate and not introduce new material.

7.18 A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

7.19 A member who has not spoken in the debate on a question may move a formal motion.

7.20 A formal motion must be in the form of a motion set out in 7.17 (and no other formal motion to a different effect will be recognised).

7.21 If the formal motion is-

(a) that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

(b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further

(c) debate; or

(d) that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

(e) that the question be adjourned, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(f) that the meeting be adjourned, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

7.22 If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

7.23 A formal motion does not constitute an amendment to a substantive motion.

7.24 If a formal motion is lost-

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e., a motion to the same effect) cannot be put until at least one member has spoken on the question.

7.25 A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

7.26 Any question that lies on the table as a result of a successful formal motion under 7.20 lapses at the next general election.

7.27 The Chief Executive Officer must report on each question that lapses under 7.25 to the council at the first ordinary meeting of the council after the general election.

8 Amendments to Motions

Regulation 13

8.1 A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

8.2 An amendment must be relevant to the motion and so framed that it forms a sensible alternative proposal. It must not be a direct negation of the original motion.

8.3 An amendment will lapse if it is not seconded at the appropriate time.

8.4 A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

8.5 If an amendment is lost, only one further amendment may be moved to the original motion.

8.6 If an amendment is carried, only one further amendment may be moved to the original motion.

8.7 Amendments are to be provided to the minute taker in writing to ensure accuracy of recording.

8.8 Note a division can not be called on an amendment as an amendment to a motion is an alteration to the wording of a motion – it is not a motion in its own right.

9 Variations etc.

Regulation 14

9.1 The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

9.2 The presiding member must immediately put the question for leave to be granted and no

debate will be allowed on that question.

10 Addresses by Members etc.

Regulation 15

10.1 A member must not speak for longer than two minutes at any one time without leave of the meeting.

10.2 Members are to speak through the Chair of the meeting when speaking to a motion.

10.3 A member may, with leave of the meeting, raise a matter of urgency.

10.4 A member may, with leave of the meeting, make a personal explanation. The personal explanation will be summarised and recorded in the minutes.

10.5 The subject matter of a personal explanation may not be debated.

10.6 The contribution of a member must be relevant to the subject matter of the debate.

10.7 Members will address other members as Councillor during council meetings.

10.8 Members may choose to sit or stand when addressing the Council\meeting.

11 Voting

Regulation 16

11.1 The presiding member, or any other member, may ask the Chief Executive Officer to read out a motion before a vote is taken.

11.2 The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

11.3 A person who is not in his or her seat is not permitted to vote unless extenuating circumstances exist, in which case the Council Member may be located elsewhere within the Chamber, but not in an area designated a public area.

11.4 For the purpose of clause 11.3 extenuating circumstances are;

- **infant or dependent care**
- **injury**
- **infirmity**

Council Member Code of Practice – Procedures at Council Meetings

CITY OF MARION

Regulation 17

12 Divisions

12.1 A division will be taken at the request of a member.

12.2 If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

12.3 The division will be taken as follows-

(a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and

(b) the members voting in the negative will, until the vote is recorded, sit in their seats; and

(c) the presiding member will count the number of votes and then declare the outcome.

12.4 The Chief Executive Officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

12.5 Members wishing to vote in the affirmative but are unable (to stand) due to extenuating circumstances, may indicate their affirmative vote by raising a hand or by indicating in some other unambiguous manner.

12.6 Members voting in the negative, who are not currently in their seats due to extenuating circumstances may indicate their negative vote by raising a hand or by indicating in some other unambiguous manner.

12.7 A division cannot be called on an amendment to a motion as it is not a motion in its own right.

12.8 The Presiding Member will not accept a division called on a procedural motion (such as an adjournment, extension of time, confidential order).

13 Tabling of Information

Regulation 18

13.1 A member may require the Chief Executive Officer to table any documents of the council relating to a motion that is before a meeting (and the Chief Executive Officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

13.2 The Chief Executive Officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

Regulation 19

14 Adjourned Business

14.1 If a formal motion for a substantive motion to be adjourned is carried-

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.

14.2 If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

14.3 **The Presiding Member can allow for new business to be dealt with prior to business adjourned from a previous meeting**.

15 Short-term Suspension of Proceedings

Regulation 20

15.1 If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this

15.2 Division (or any part of this Division) for a period determined by the presiding member.

15.3 The Guiding Principles must be taken into account when considering whether to act in accordance with Clause 15.1.

15.4 If a suspension occurs in accordance with Clause 15.1
(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension-

(i) the provisions of the Act must continue to be observed; and

(ii) no act or discussion will have any status or significance under the provisionswhich have been suspended; and

(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if-

(i) the presiding member determines that the period should be brought to an end;or

(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

16 Chief Executive Officer may submit report recommending revocation or amendment of council decision

Regulation 21

16.1 The Chief Executive Officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.

16.2 The Chief Executive Officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

17 Points of Order

Regulation 28

17.1 The presiding member may call to order a member who is in breach of the Act or these regulations.

17.2 A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.

17.3 A point of order takes precedence over all other business until determined.

17.4 The presiding member will rule on a point of order.

17.5 If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.

17.6 The presiding member is entitled to make a statement in support of the ruling before amotion under 17.5 is put.

17.7 A resolution under 17.5 binds the meeting and, if a ruling is not agreed with-

17.7.1 the ruling has no effect; and

17.7.1 the point of order is annulled.

Regulation 29

18 Interruption of Meetings by Members

18.1 A member of a council must not, while at a meeting-

18.1.1 behave in an improper or disorderly manner; or

18.1.2 cause an interruption or interrupt another member who is speaking.

18.2 Clause 18.1(b) does not apply to a member who is-

18.2.1 objecting to words used by a member who is speaking; or

18.2.2 calling attention to a point of order; or

18.2.3 calling attention to want of a quorum.

18.3 If the presiding member considers that a member may have acted in contravention of Clause 18.1, the member must be allowed to make a personal explanation.

18.4 Subject to complying with Clause 18.3, the relevant member must leave the meeting while the matter is considered by the meeting.

18.5 If the remaining members resolve that a contravention of Clause 18.1 has occurred, those

18.6 members may, by resolution-

18.5.1 censure the member; or
18.5.2 suspend the member for a part, or for the remainder, of the meeting.

18.7 A member who-

18.6.1 refuses to leave a meeting in contravention of Clause 18.4; or

18.6.2 enters a meeting in contravention of a suspension under Clause18.5, is guilty of an offence and the Maximum

penalty is $1,250

Maximum Penalty $500
Regulation 30

19 Interruption of Meetings by Others

19.1 A member of the public who is present at a meeting of a council must not-

19.1.1 behave in a disorderly manner; or
19.1.2 cause an interruption.

20 Disruptive Behaviour by Members of the Public

20.1 Disruptive behaviour is to be assessed on a continuum. It amounts to more than strong emotions or opinions expressed during the course of discussion in a public forum and it is more than the expression of controversial and/or extreme points of view.

20.2 Generally, 'disruptive behaviour' is that which interferes with the business of the Council. The persistence, severity, and nature of the behaviour are key factors in determining the level of disruptiveness and the degree of tolerance with the perpetrator(s) of the disruptive behaviour and the nature of the action that Council will take to address the behaviour. Examples include (but are not necessarily limited to):

20.2.1. talking when others are speaking;
20.2.2. constant interjection, particularly when the Presiding Member or Elected Members present at the Council Meeting are speaking, but also when Council staff, consultants or the public are addressing the Council Meeting;

20.2.3. refusal to accede to a Presiding Member's lawful and reasonable instructions, particularly when asked to desist from disruptive behaviour;

20.2.4. verbal badgering;

20.2.5. frequent interruptions (including of a non-verbal nature);

20.2.6. audible mobile phone use in a public forum;

20.2.7. swearing or using derogatory and demeaning language;

20.2.8. unreasonably monopolising public opportunities for discussion and refusal to give up thefloor to allow other members of the public to ask questions;

20.2.9. stalking or intimidation;

20.2.10. verbal or physical threats or any other aggressive or threatening behaviour towards

20.2.11. either Elected Members, Council staff or other members of the public;

20.2.12. erratic, or otherwise odd or unusual behaviour;

20.2.13. excessive noise-making;

20.2.14. appearing to be under the influence of intoxicating alcohol or drug use; and

20.2.15. physical aggression to other people or property.

20.3 Council notes that some of the above behaviours constitute a criminal offence, and Council will take appropriate action, as required, in such circumstances, including by calling the South Australia Police (SAPOL) and/or making a report to SAPOL.

21 Dealing with Member of the Public Disruptive Behaviours

21.1 Decisions about whether disruptive behaviour is occurring, and the appropriate action to take in the circumstances, will be made by the Presiding Member, in accordance with this Code of Practice.

21.2 If, in the view of the Presiding Member, the behaviour is considered to be disruptive, the person (or persons) will be directed to cease such behaviour immediately.

21.3 Should the behaviour continue, and is, in the view of the Presiding Member, disrupting the orderly conduct of Council business, the Council may adjourn the Council Meeting for a stated period of time. The details of the adjournment (including the reasons) must be included in the minutes.

21.4 During that adjournment the Presiding Member and the Chief Executive Officer (CEO) (or delegate) will discuss the appropriate management of the situation with the person (or persons)

21.5 involved, advising them of their statutory obligations and requesting that they cease disrupting the Council Meeting. The Elected Members will not engage with the person (or persons) involved during this time but, rather, will remove themselves from the situation while the Presiding Member and the CEO discuss the matter with the disruptive person(s).

21.6 If, after resuming the Council Meeting, the disruptive behaviour continues, the Presiding Member may take one or more of the following actions:

21.5.1. Request the assistance of a member of SAPOL to attend the Council Meeting and remove the offending person(s) pursuant to Section 18A(2) of the Summary Offences Act

1953, and/or any other relevant legislative provision, and, in conjunction with the CEO seek to have the person(s) prosecuted for a breach of Section 18A(1) of the Summary Offences Act 1953, and/or any other relevant legislative provision that may have been breached in the circumstances.

21.5.2. In the event that a member of SAPOL is not immediately available to attend, the Council Meeting will remain adjourned until such time as a member of SAPOL can attend, or after a reasonable period of time has elapsed (as determined by the Presiding Member), the Council Meeting will be adjourned to a time and date to be fixed.

21.5.3. As soon as practicable following the Council Meeting (that has either naturally concluded or has been adjourned in accordance with 21.3), if a member of SAPOL has been unable to attend, the Presiding Member, in conjunction with the CEO, will arrange for a comprehensive report to be made to SAPOL regarding the behaviour exhibited and settingout the identity of the person(s) (if known).

21.5.4. The Council will also consider any other legal avenues that may be open to it, including making application for an intervention order to restrict a person's access to Council land and/or Council meetings as may be appropriate.

21.7 In all cases, the Council will, upon the outcome of any successful prosecution or other civil action, seek to recover from the offending person or persons, its full indemnity costs in pursuing the matter.

21.8 Upon the outcome of any successful prosecution as part of the sentencing process, the Council will in all cases:

21.7.1. make application to the Court for an order restraining the offending person(s) from attending at any Council Meeting for a period of no less than six calendar months; and

21.7.2. make submissions to the Court that a criminal conviction be recorded against the offending person(s).

21.9 Nothing in this Policy prevents an Elected Member, Council employee or member of the public from making their own report in relation to disruptive behaviours to the appropriate public

21.10 authority, and taking any lawful action they consider appropriate in the circumstances.

22 Ability to Conduct Committee Meetings Electronically

Section 90(7a)

22.1 Committee Meetings of Council established under Section 41 of the *Local Government Act 1999* may be held via telephone or other electronic means:

(a) When notice is given by the Presiding Member of the intent to hold the meeting

electronically in the circumstance the meeting cannot be held in person. Notice must be given at the time the agenda is made available or earlier;

(b) Due to individual circumstances where a Committee Member is unable to attend, they may after seeking approval from the Presiding Member and confirmed by the CEO join the meeting electronically;

(c) Whilst participating in a Committee Meeting in accordance with this clause a Committee

(d) Member shall be considered as being present at the meeting for all purposes.

23 Ability to Conduct Information or Briefing Sessions Electronically

Attendance at Information or Briefing Sessions Electronically

Members of the Council or a Council Committee may participate in an information or briefing session by electronic means (an electronic information or briefing session).

A member of the Council or Council Committee participating in electronic information or briefing session is taken to be present at the information or briefing session provided that the member:

(a) can hear all other members present at the information or briefing session; and

(b) can be heard by all other members present at the information or briefing session.

Form of Participation by Electronic Means

Where:

(a) a Council or Committee member is to participate in an information or briefing session by electronic means; and

(b) the electronic means has the functionality to allow the member to participate in electronic information or briefing session by being heard but not seen or by being both seen and heard; and

(c) the electronic means of the Council has the functionality to allow the council member to be heard but not seen or to be both seen and heard, the member must participate by being both seen and heard.

Public Access to Electronic Information or Briefing Session

Council will make available to the public a live stream of any electronic information or briefing session which must be conducted in a place open to the public so that members of the public can hear the discussions between all persons participating in the information or briefing session.

The live stream will be published on a website determined by the chief executive officer, provided that this requirement will not apply to any part of the electronic information or briefing session that has been closed to the public. Definitions electronic means includes a telephone, computer or other electronic device used for communication.

Commented [VM1]: Addition as a result of amendments

Include here or Code of Practice – Access to Council Meetings and Documents? – currently in both. ??

Section 90(7a) of the Local Government Act applies to information or briefing sessions as if they were a meeting of a council committee. Accordingly, a council may adopt a procedure for the holding of information or briefing sessions by telephone or other electronic means, provided that members of the public can hear the discussion between all participants at the information or briefing session.

Council Member Code of Practice – Procedures at Council Meetings

CITY OF MARION

DEFINITIONS
In these procedures, unless the contrary intention appears-

Term	*Definition*
Act	means the *Local Government Act 1999*;
clear days	means days, inclusive of Saturdays, Sundays and public holidays, which do notinclude: - the day on which the notice is given - the day on which the meeting occurs
deputation	means a person or group of persons who wish to appear personally before a councilor council committee in order to address the council or committee (as the case may be) on a particular matter
electronic	means includes a telephone, computer or other electronic device used forcommunication
formal motion	means a motion- (a) that the meeting proceed to the next business; or (b) that the question be put; or (c) that the question lie on the table; or (d) that the question be adjourned; or (e) that the meeting be adjourned[1].; "**member**" means a member of the council or council committee (as the case may be);
point of order	means a point raised to draw attention to an alleged breach of the Act, Regulationsor this Code of Practice in relation to the proceedings of a meeting
presiding member	means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding/chairing at a particular meeting
written notice	means legibly hand written or typed in either hard copy or email form

REFERENCES
Local Government Act 1999

Council Member Code of Practice – Procedures at Council Meetings

Local Government (Procedures at Meetings) Regulations 2013

REVIEW AND EVALUATION

Review 2022/23

Public Health Emergency: Amendments to Allow Electronic Participation in Council Meetings

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999 (Notice No 1)* varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

Public Health Emergency: Electronic Participation in Council Meetings (Notice No. 5) published on 11 November 2021 contains technical changes to update references in the Local Government Act 1999 as a result of changes under the Statutes Amendment (Local Government Review) Act 2021 which have now commenced. This notice revokes and replaces Public Health Emergency: Electronic Participation in Council Meetings (No. 1) - Tuesday, 31 March 2020 **and comes into effect on** 11 November 2021

For the period Notice No ~~1~~ 5 has effect (as provided for in Notice No ~~1~~5), this Code of Practice is altered asset out below and those alterations have effect not withstanding any other provision in this Code of Practice to the contrary.

For the avoidance of doubt, save for the alterations to the Code of Practice as set out below, this Code of Practice otherwise applies to all meetings of the Council.

Alterations to this Code of Practice to Facilitate Electronic Participation

Definitions

Act means the *Local Government Act 1999*.

regulations means the *Local Government (Procedures at Meetings) Regulations 2013*.
disconnection of the electronic includes:

(a) ending a telephone connection such that the discussion and voting at the meeting cannot be heard;

(b) ending a video conferencing connection such that the discussion and voting at the meeting cannot be seen or heard;

(c) logging out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard;

(d) signing out of a virtual meeting room or space such that the discussion and voting at the meeting cannot be seen or heard; or

(e) disconnecting any other electronic means such that the discussion and voting at the meeting cannot be seen or heard.

Attendance at Council Meetings

Members of the Council may participate in a meeting of the Council by electronic means if the reason for not attending in person is related to COVID-19.

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

(a) can hear all other members present at the meeting;

(b) can be heard by all other members present at the meeting; and

(c) can be heard by the person recording the minutes of the meeting.

Quorum Regulation 7

A member of the Council participating in a Council meeting by electronic means is taken to be present at the meeting provided that the member:

(a) can hear all other members present at the meeting;

(b) can be heard by all other members present at the meeting; and

(c) can be heard by the person recording the minutes of the meeting.

A quorum is taken to be present even if 1 or more Council members constituting the quorum is present by electronic means.

Leave of the Meeting

A vote on whether ***leave of the meeting*** is granted may be conducted by:

(a) a show of hands; or

(b) where a member is participating in a meeting by electronic means which has audio only, a verbal indication of voting in the affirmative or voting in the negative.

A division may be called in relation to the vote.

Adjourned Meetings Regulation 7

If a meeting is adjourned to another day, the Chief Executive Officer must:

(a) give notice of the adjourned meeting to each member of the Council setting out the date, time and place of the meeting;

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be published on a website determined by the Chief Executive Officer.

Minutes

Regulation 8

On confirmation of the minutes the presiding member may initial or sign the minutes in hardcopy or electronically.

The minutes of the proceedings of a meeting must include in relation to each member present at the meeting the method of attendance by the person.

Example:
The following are examples of methods of attendance:
(a) physical attendance;
(b) by an audio-visual link;
(c) by an audio link;
(d) by telephone.

Petitions Regulation 10

A petition must be addressed to the Council and delivered to the Council by means determined by the Chief Executive Officer as follows:

- Via post - PO Box 21, Oaklands Park SA 5046
- Via email – council@marion.sa.gov.au

Deputations Regulation 11

A person or persons wishing to appear as a deputation at a meeting must deliver (to the Council by means determined by the Chief Executive Officer as set out below) a written request to the Council.

- Via post - PO Box 21, Oaklands Park SA 5046
- Via email – mayor.ea@marion.sa.gov.au

A person or persons wishing to appear as a deputation at a meeting may appear by electronic means.

The Chief Executive Officer will (with respect to a request that has not been refused), when informing the

person or persons who requested the deputation of the outcome of their request, indicate the method by which the person or persons are to appear at the meeting.

Voting Regulation 16

A vote in relation to a question for decision before the Council may be taken:

(a) a show of hands; or

(b) where a member is participating in a meeting by electronic means which has audio only, a verbal indication of voting in the affirmative or voting in the negative.

The presiding member, or any other member, may ask the Chief Executive Officer to read out a motion or amendment before a vote is taken.

In relation to a member participating in a Council meeting by electronic means, a member is not permitted to vote in circumstances where there has been a disconnection of the electronic means.

Divisions

Regulation 17

A division is taken as follows:

(a) except for a member participating in a meeting by electronic means which has audio only:
  (i) the members voting in the affirmative will, until the vote is recorded, stand in their places;
  (ii) the members voting in the negative will, until the vote is recorded, sit in their seats;
  (iii) the presiding member will count the number of votes and then declare the outcome;

(b) where a member is participating in a meeting by electronic means which has audio only, the member will provide a verbal indication of voting in the affirmative or voting in the negative.

Form of Participation by Electronic Means

Where:

(a) a Council member is to participate in a Council meeting by electronic means; and

(b) the electronic means has the functionality to allow the Council member to participate in the meeting by being heard but not seen or by being both seen and heard; and

(c) the electronic means of the Council has the functionality to allow the Council member to be heard but not seen or to be both seen and heard,

the member must participate by being both seen and heard.

Suspension of other Inconsistent Provisions

To the extent that any other discretionary provision of this Code of Practice or specific procedure adopted by the Council in this Code of Practice could be read as being inconsistent or incompatible with the ability of a member of the Council to participate in a meeting of the Council by electronic means, the provision is suspended in respect of the member while they are participating in the meeting by electronic means.

In circumstances where a provision is suspended under this paragraph, the presiding member may give directions to a member of the Council in respect of an alternative method of compliance with the suspended provision.

Any member who disagrees with a direction of the presiding member under this paragraph may move a motion that the direction not be adhered to. Such a motion must be moved immediately following the issuance of the direction. In the event such a motion is successful, the meeting may give directions to a member, by resolution.

Expiry of Public Health Emergency Amendments

In accordance with Section 302B(2)(d)(ii), the amendments have effect until 28 days after the cessation of all relevant declarations relating to the emergency to which the notice relates.

Code of Practice – Access to Council Meetings and Documents

CITY OF MARION

1. RATIONALE

Council must prepare and adopt a Code of Practice, in accordance with Part 5 of the Local Government Act 1999 (the Act), that relates to the principles, policies, procedures and practices that the Council will apply for the purpose of the operation of Part 3 and Part 4 of the Act.

2. POLICY STATEMENT

2.1 The City of Marion is committed to the principles of honest, open and accountable government and encourages community participation in the business of Council.

2.2 In fulfilling the role of an effective Council that is responsive to the needs of the community and which operates within the legal framework (prescribed by the Act), the City of Marion supports the principle that procedures to be observed at a Council or Committee meeting should contribute to transparent and informed decision making and encourage appropriate community participation in the business of Council. However, the City of Marion also recognises that on a limited number of occasions it may be necessary in the broader community interest to restrict public access to discussion or documents.

3. OBJECTIVES

This Code of Practice sets out the policy framework for access to meetings and documents and provides guidance as to the application of provisions in the Act to restrict public access to meetings and/or documents.

3.1 The Code of Practice aims to;

3.1.1 Provide the community with information on access to Council and Council Committee meetings and the documents of those meetings;

3.1.2 Summarise the legal position relating to public access to the Council and Council Committee meetings, agendas, documents and minutes of meetings; and

3.1.3 Outline to the community for what purpose and on what basis the Council may apply the provisions of the Act to restrict public access to Council and Council Committee meetings or documents and minutes.

4. POLICY SCOPE AND IMPLEMENTATION

4.1 This Code of Practice applies to Council and Council Committees and the associated agenda, minutes and attachments that relate to those meetings;

4.2 The Code of Practice does not apply to the ~~Development~~ Council Assessment Panel (CAP~~DAP~~) as therequirements of the CAP~~DAP~~ are defined within the Development Assessment Act1993;

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~~4.3 Section 132 of the Act states that Council must make certain documents available for public inspection. The Code of Practice does not apply to those documents;~~

~~4.4~~4.3 In accordance with section 132(1) of the Local Government Act, council must now

~~4.5~~4.4 ensure that the code of practice—procedures at meetings (included in schedule 5) is published on a website determined by the CEO and, on request, provide a person with a printed copy of the code (on payment of a fixed fee (if any)).

~~4.6~~ Where the Freedom of Information Act 1991 (FOI Act) provides for access to Council's administrative documents which are not normally available to the public, then those documents are not included in the scope of this Code.

5. Access to the Agenda for Meetings

5.1 In accordance with the Act, the Chief Executive Officer (CEO) must give written notice of an ordinary meeting to all the Council or Committee Members, setting out the date, time and place of the meeting at least three clear days before the meeting.

5.2 The notice contains or is accompanied by the agenda for the meeting and a list of the items of business, plus any documents and reports relating to these matters (with the exception of any matters that might be potentially subject to the making of an order of confidentiality).

5.3 The notice ~~and agenda are also~~is placed on public display at the principal office of the Council, and the notice and agenda are available via Council's website: www.marion.sa.gov.au, at the same time as they are forwarded to the Council members. A printed copy may be made available upon request on payment of a fee (if any) fixed by the council. Further copies are made available to the public at the meeting of the Council or Council Committee.

5.4 Documents and reports (including attachments and any information or material referred to in the documents or reports) supplied to the council or a council committee that are able to be supplied to members of the public must also be made available to the public.

~~5.3~~

Note: - these provisions apply to the Council and Council Committee meetings that have as part of their responsibility some regulatory activities and those other committees to which the Council has determined these procedures will apply. Where a committee is not performing a regulatory activity these procedures may be varied, eg; notice may be given in a form decided by the committee, and need not be given for each meeting separately. Public notice may be given at a place determined by the CEO taking into account the nature and purpose of the Council Committee [Part 3 of the Local Government (Procedures at Meetings) Regulations 2000].

5.5 Distribution of agenda papers to members of the Council, or members of a Council Committee, may contain items of business (including reports or documents) that include a recommendation from the CEO that a document or report on a particular matter may be considered in confidence to the exclusion of the public. Where this occurs, the CEO will identify the legislative ground(s) upon which the Council or Council Committee members can determine

Commented [VM1]: The new section 84(1a) provides that the CEO must now ensure the notice is displayed at the principal office of the council and that, in accordance with section 132(1)(a), the notice and agenda for the meeting are available on the council website.

'notice and agenda for meetings of the council, council committees and electors' is listed in schedule 5 of the Act. In accordance with section 132, council must ensure that it publishes a document referred to in schedule 5 on a website determined by the CEO and, on request, provide a person with a printed copy (on payment of a fee (if any) fixed by the council).

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5.45.6 whether a confidentialityorder is to be made.

5.5 If, upon consideration of the grounds under Section 90(3), the Council or Council Committee members do not make an order of confidentiality for an item that the CEO has recommended to be considered in confidence, then a copy of the document will be made available to the public.

5.7 Council will publish information about information and briefing sessions in accordance with Regulation 8AB of the Local Government (General) Regulations 2013. Absent a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential.

Commented [VM2]: Addition due to amendments

6. Public Access to Meetings

6.1 Council (and Council Committee) meetings are open to the public and attendance is encouraged and welcomed. Meeting schedules are made available for public viewing on the website.

6.2 There are times where Council (or Council Committee) considers it necessary to exclude the public from the discussion of a particular matter. In these circumstances, Council (or Council Committee) will do so in accordance with Section 90(3) of the Act which outlines the circumstances when a meeting can be closed to consider a matter in confidence.

6.3 The public will only be excluded when the need for confidentiality outweighs the principle of open decision making, and that will be determined on a case by case basis, upon satisfying one or more of the grounds under Section 90(3) of the Act.

6.4 In accordance with section 90 of the Act, it is not unlawful for Members of Council, Council Committee members and staff to participate in ~~informal gatherings~~Information or Briefing Sessions. Information Sessions, where appropriate, provide a valuable opportunity to enhance the decision-making process by providing opportunities for Council Members to become better informed on issues and seek further clarification.

Information sessions are to be used solely for the purpose of generating ideas, sharing information and seeking further information and must not deal with a matter in a way that obtains or effectively obtains, a decision on a matter outside of a formally constituted council or council committee meeting.

~~6.4 or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Council Committee. Such meetings may for example be in the form of:~~

- ~~planning sessions associated with the development of policies and strategies;~~
- ~~briefing or training sessions;~~
- ~~workshops;~~
- ~~social gatherings to encourage informal communication between members or between~~

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- ~~members and staff.~~

6.5 ~~Informal gatherings~~Information or Briefing Sessions will be in compliance with Council's '~~Informal Gatherings Polic~~Information Sessions Policy~~y~~'

7. Matters Considered in Confidence

7.1 Before a meeting order that the public be excluded to enable the receipt, discussion and/or consideration of a particular matter, the meeting must, in public, formally determine that this is necessary and appropriate to do so, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs, everyone, except those persons permitted to stay by express inclusion in the resolution of Council (or Council Committee), must leave the room. Once Council, or Council Committee, has made the order it is an offence for a person, knowing that an order is in force, to enter or remain in a room in which such a meeting is being held.

7.2 Once discussion on a particular matter, including the making of a resolution made under Section 91(7) (if required) has concluded, the order to exclude the public lapses and the public are then

7.3 permitted to re-enter the meeting. If there is a second or subsequent matter on the agenda to be considered in confidence it will be necessary for the Council or Council Committee to again undertake the formal determination process, and where satisfied resolve to exclude the public in the manner described above.

7.4 Council, or the Council Committee, can, by inclusion within the resolution, permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed.

7.5 When determining the order of matters on the agenda, Council or the Council Committee, will take into consideration the convenience of the public and the complexity of the matter to determine appropriate order.

7.6 In accordance with Section 90(3) of the Act, Council, or a Council Committee may order that the public be excluded in the following circumstances:

7.6.1 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

7.6.2 information the disclosure of which –

i. could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

ii. would on balance, be contrary to the public interest;

7.6.3 information the disclosure of which would reveal a trade secret;

7.6.4 commercial information of a confidential nature (not being a trade secret) the disclosure of which -

i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

ii. would, on balance, be contrary to the public interest;

7.6.5 matters affecting the security of Council, members or employees of Council, or Council property, or the safety of any person;

7.6.6 information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;

7.6.7 matters that must be considered in confidence in order to ensure that Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

7.6.8 legal advice;

7.6.9 information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;

7.6.10 information the disclosure of which –

i. would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by Council); and

ii. would, on balance, be contrary to the public interest;

7.6.11 tenders for the supply of goods, the provision of services or the carrying out of works;

7.6.12 information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act;

7.6.13 Information relevant to the review of a determination of Council under the Freedom of Information Act 1991.

~~7.6.13~~7.6.14 Information relating to a proposed award recipient before the presentation of the award.

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7.7 Where Council, or a Council Committee, is considering making an order that the public be excluded on one or more of the grounds above it is not a relevant consideration that discussion of the matter in public may:

i. cause embarrassment to the Council or the Council Committee concerned, or to members or employees of the Council: or

ii. cause a loss of confidence in the Council or the Council Committee.

~~7.8~~ If a decision to exclude the public is taken, Council or the Council Committee will include details in the resolution of the making of the order and the grounds on which it was made and application of those grounds to the present matter without disclosing the issues giving rise to the confidentiality. Minutes of a meeting of Council or a Council Committee are publicly available within five days after the meeting.

7.8 If the matter to be discussed at an information session will or is intended to be on the agenda for a formal council or committee meeting, the information session must be open to the public.

7.9 The CEO can order that an information session be closed to the public in accordance with s90A(3) where the CEO considers it necessary or appropriate to close the session to the public in order to receive, discuss or consider in confidence any information or matter listed in section 90(3) of the Local Government Act.

~~7.9~~7.10 If an order is made to close a session to the public, the order will be made in writing pursuant to section 90A(4) and published on the relevant item at the time the agenda or related information is distributed to Council Members and prescribed information published in

7.11accordance with legislative requirements.

8. Process to Exclude the Public and Consider a Matter in Confidence

8.1 Confidentiality provisions will only be utilised after careful consideration and when considered proper and necessary;

8.2 The grounds on which an order to exclude the public is made will be conveyed to the public at the time of the order being made and will be included in the minutes of the meeting which are available to the public within 5 days of the meeting;

8.3 Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that any report or other document or the minutes associated with the confidential agenda item remains confidential. In determining this, the meeting shall have regard to the provisions of Section 91 and in particular Section 91(8) which details when Council or a Council Committee must not order that a document in whole or in part remain confidential;

8.4 If a meeting determines that it is proper and necessary to keep a report or documentation

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8.5 confidential, then it must evidence this by resolution. Where Council or a Council Committee resolves to retain information as confidential Council or the Council Committee will specify the duration of the order or the circumstances in which the order will cease to apply or a period after which the order will be reviewed. In each case the review period must not be for a period longer than 12 months, in accordance with the Act.

8.6 Once discussion of the matter is concluded (and the public have returned to the meeting room), the decision of the meeting in relation to the matter will be made publicly known unless the Council has resolved to order that some information and all relevant decisions remain confidential, (eg the price to which the Council is prepared to bid for land yet to be auctioned).

8.7 Details relating to any order to keep information and/or discussion on the item confidential in accordance with Section 91(7) of the Local Government Act are also to be made known. When making a confidentiality order the meeting 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, that period being no longer than 12 months. This along with the making of the order and the grounds on which it was made, is also recorded in the minutes.

8.8 In all cases the objective is that the information be made publicly available at the earliest possible opportunity.

8.9 Where a person provides information to Council or a Council Committee for consideration and requests that it be kept confidential Council is not able to consider this request unless the matter falls within one of the grounds under Section 90(3) of the Act. If this is the case, Council will then be in a position to consider the request on its relative merits.

9. Review of Confidential Orders

A confidentiality order made under section 91(7) of the Act 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. In any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year.

An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review can be delegated to the Chief Executive office and sub-delegated to an employee of the Council if appropriate. If there are any items that require a fresh confidentiality order because the original order

is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of therelevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.

If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council Committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

10. Public Access to Documents

Various documents are made publicly available in electronic form via the City of Marion website and a printed copy can be made available ~~for inspection and purchase (for a fee) by the public~~(on payment of a fee (if any) fixed by the Council). ~~Council may also make a document available in electronic form and place it on the Internet for public access.~~

The Council or the Council Committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest.

The Council or the Council Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).

Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:

- the grounds for confidentiality; and
- 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 – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year;

- (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [s.91(9)]

Requests to access Council and Council Committee documents can be made under the *Freedom of Information Act 1991*. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's accredited Freedom of Information Officer.

Commented [VM3]: Should we remove this? If there is a confidential order to retain it would be exempt under the FOI Act??

11. Accountability and Reporting to the Community

11.1 To support Council's commitment to the principle of accountability to the community, Council will report, on an annual basis, in relation to its use of the confidentiality provisions. Council will report on the following information in its Annual Report:-

i. the number of occasions Council or a Council Committee resolved to exclude the public; and

ii. the relevant provisions within section 90 (3) of the Act that were utilised to exclude the public.

12. Review of Council Decisions

12.1 The Act provides that Council is required to establish procedures for the review of a decision in relation to the operation of:

12.1.1 Council or a Council Committee

12.1.2 An employee of the Council

12.1.3 Other persons acting on behalf of the Council.

12.2 Where a person is aggrieved about a decision under Section 90 of the Act to restrict public access to either a meeting or a document, they may apply for consideration under the Review of Decisions procedure that has been established in accordance with section 270 of the Act.

13. Availability of the Code

~~13.1 The public may inspect a copy of this Code, without charge, at the Council offices during office hours.~~

~~13.2~~13.1 A copy of the Code will be made available on the Council Website (www.marion.sa.gov.au~~).~~) and a printed copy can be made available (on payment of a fee (if any) fixed by the Council.

~~13.3~~13.2 Further enquiries about the Code should be directed to the Manager Office of the CEO or by telephoning Council on 8375 6600.

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14. Review Process

14.1 The Act requires that the code be reviewed within 12 months of a periodic election (i.e. every 4 years). Council has the right to review this code at any time.

14.2 Before a Council adopts, alters or substitutes the Code it must;

~~14.2~~14.2.1 Undertake public consultation on the proposed code, alterations or substitute code (as the case may be)

~~14.2.1 Make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase from the Council's principle office.~~

~~14.2.2 Follow the relevant steps set out in its public consultation policy.~~

Commented [VM4]: amendments

15. DEFINITIONS

Agenda – A list of items of business to be considered at a meeting.

Clear Days - The time between the giving of the notice and the meeting is determined excluding the day on which the notice is given and the day of the meeting eg; notice is given on a Thursday for a following Monday meeting, the clear days being Friday, Saturday and Sunday.

Council Committee - A committee of Council established under section 41 of the Local Government Act 1999 or any other Committee established under the Act, including any subcommittee.

Deputation – a person or group of persons who wishes to appear personally before the Council or Council Committee in order to address the Council or Committee on a particular matter.

Minutes – a record of the items discussed and the resolutions made of a meeting of Council or Council Committee.

Personal Affairs - being a person's financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person's employment records, employment performance or suitability for a particular position or other personnel matters relating to the person but does not include the personal affairs of a body corporate.

The Act – *Local Government Act 1999*

16. REVIEW AND EVALUATION

Review due July 2023.

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Public Health Emergency: Amendments to Allow Electronic Participation in Council Meetings

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999* (**Notice No 1**) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

For the period Notice No 1 has effect (as provided for in Notice No 1), this Code of Practice is altered as set out below and those alterations have effect notwithstanding any other provision in this Code of Practice to the contrary.

For the avoidance of doubt, save for the alterations to the Code of Practice as set out below this Code of Practice otherwise applies to all meetings of the Council.

Alterations to Code of Practice

Definitions

connect means able to hear and/or see the meeting, including via a live stream or recording of the meeting;

disconnect means remove the connection so as to be unable to hear and see the meeting;

live stream means the transmission of audio and/or video from a meeting at the time that the meeting is occurring;

Public Notice of Council Meetings

The notice of meeting and agenda is not required to be placed on public display at each office of the Council.

~~A person is entitled, on payment of a fee fixed by the Council, to obtain a copy of a~~ Any notice and agenda will be published on a website determined by the Chief Executive Officer ~~and the notice and agenda will continue to be published on the website~~ until the completion of the relevant meeting.

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Copies of any document or report supplied to members of the Council for consideration at a meeting of the Council are not required to be made available for inspection by members of the public at the principal office of the Council or at the meeting.

The Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) will ensure that any document or report supplied to members of the Council for consideration at a meeting of the Council is available for inspection by members of the public:

- in the case of a document or report supplied to members of the Council before the meeting - on a website determined by the Chief Executive Officer as soon as practicable after the time when the document or report is supplied to members of the Council; or
- in the case of a document or report supplied to members of the Council at the meeting - on a website determined by the Chief Executive Officer as soon as practicable after the time when the document or report is supplied to members of the Council.

Meetings to be Held in Public Except in Special Circumstances

A Council meeting will be taken to be conducted in a place open to the public even if 1 or more Council members participate in the meeting by electronic means provided that:

(a) the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a live stream of the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all council members present at the meeting via the live stream; or

(b) if the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the Chief Executive Officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.

If the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) has taken reasonable steps but is unable to make available a live stream of the meeting, or make available a recording of the meeting as soon as practicable after the meeting (on a website determined by the Chief Executive Officer), the Chief Executive Officer (or a person nominated in writing by the Chief Executive Officer) must publish on a website determined by the Chief Executive Officer the steps taken to comply and the requirement regarding live streaming and recoding is suspended.

The council or council committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public pursuant to an order made under section 90(2) of the Act.

It is an offence for person who, knowing that an order is in force under section 90(2), to connect to a meeting of the Council or Council committee by electronic means, or fail to disconnect from a meeting

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of the Council or Council committee.

Minutes and Release of Documents

A copy of the minutes of a meeting of the council must be placed on public display on a website determined by the Chief Executive Officer within five days after the meeting and kept on display for a period of one month.

Code of Practice

The Council is not required to adopt any provision in a code of practice that would prevent or inhibit members from participating in Council meetings or Council committee meetings by electronic means.

Council members may meet by electronic means to alter the code of practice of the Council, or substitute a new code of practice of the Council, even if the existing code of practice prevents or inhibits the Council members from meeting by electronic means.

Section 92(5) provides that council must, before adopting, altering or substituting a code of practice under section 92, undertake public consultation on that proposed code, alteration or substitute code.

~~The requirement in section 92(5) that before a Council adopts, alters or substitutes a code of practice it make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection and purchase at the principal office of the Council and on a website determined by the Council and that the Council follow the steps set out in its public consultation policy is suspended while these provisions are in effect.~~

Website for Publishing

The website determined by the Chief Executive Officer will include, but may not be limited to, the City of Marion website (www.marion.sa.gov.au).

Suspension of Other Inconsistent Provisions

To the extent that any other provision of this Code of Practice could be read as being inconsistent or incompatible with the ability of the Council to hold electronic meetings, the provision is suspended while these provisions are in effect.

Expiry of Public Health Emergency Amendments

In accordance with Section 302B(2)(d)(ii), the amendments have effect until 28 days after the cessation of all relevant declarations relating to the emergency to which the notice relates.

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Holding of an electronic information or briefing session

Attendance at Information or Briefing Sessions Electronically
Members of the Council or a Council Committee may participate in an information or briefing session

by electronic means (an electronic information or briefing session).

A member of the Council or Council Committee participating in electronic information or briefing session is taken to be present at the information or briefing session provided that the member:

(a) can hear all other members present at the information or briefing session; and

(b) can be heard by all other members present at the information or briefing session.

Form of Participation by Electronic Means
Where:

(a) a Council or Committee member is to participate in an information or briefing session by electronic means; and

(b) the electronic means has the functionality to allow the member to participate in electronic information or briefing session by being heard but not seen or by being both seen and heard; and

(c) the electronic means of the Council has the functionality to allow the council member to be heard but not seen or to be both seen and heard, the member must participate by being both seen and heard.

Public Access to Electronic Information or Briefing Session
Council will make available to the public a live stream of any electronic information or briefing session which must be conducted in a place open to the public so that members of the public can hear the discussions between all persons participating in the information or briefing session.

The live stream will be published on a website determined by the chief executive officer, provided that this requirement will not apply to any part of the electronic information or briefing session that has been closed to the public. Definitions electronic means includes a telephone, computer or other electronic device used for communication.

Document Availability
Council will publish information about information and briefing sessions in accordance with Regulation 8AB of the Local Government (General) Regulations 2013. Absent a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential.

Commented [VM5]:
Include in this Code or Code of Practice – Procedures at Council Meetings ??? **Currently in both**

Section 90(7a) of the Local Government Act applies to information or briefing sessions as if they were a meeting of a council committee. Accordingly, a council may adopt a procedure for the holding of information or briefing sessions by telephone or other electronic means, provided that members of the public can hear the discussion between all participants at the information or briefing session.

Local Government Association of South Australia

LG Equip

Changes to public inspection/display requirements – Local Government Act & associated regulations

This information sheet relates to the commencement of various sections of the Statutes Amendment (Local Government Review) Act 2021 that make amendments to the public inspection/display requirements within the Local Government Act 1999 and associated regulations. These changes commenced on 10 November 2021.

1. Introduction

This information sheet provides a consolidated list of all public inspection/display amendments made within the *Local Government Act 1999* (the Local Government Act) and associated regulations that commenced on 10 November 2021.

Please note, there are a range of other requirements throughout the Local Government Act requiring councils to make certain documents available for members of the public. This information sheet only includes those obligations that were amended on 10 November 2021. It also does not provide information on record keeping requirements under the *State Records Act 1997*.

2. Background

There were a number of sections throughout the Local Government Act that required councils to publish material online, to have material available at the principal office for inspection, or to provide copies of material on request. Previously, documents listed in Schedule 5 of the Local Government Act were only required to be made available at the principal office for inspection and purchase. Section 132(3) included a list of council documents that were required to be made available on the council website.

The amendments contained within *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) that commenced on 10 November 2021 have created a consolidated list of documents to be made available by councils in Schedule 5 and removed almost all of the public inspection requirements.

It is noted that councils often go well above these legislative obligations by ensuring a range of council documents and information is made available to the public on their website.

3. Amendments to section 132—Access to documents

Section 132(1) provides that, subject to the regulations, a council must –

(a) publish a document referred to in Schedule 5 on a website determined by the chief executive officer (the CEO); and

(b) on request, provide a person with a printed copy of a document referred to in Schedule 5 (on payment of a fee (if any) fixed by the council).

There is no longer a requirement for councils to ensure that copies of Schedule 5 documents are made available for inspection at the principal office.

Section 132(3a) has been amended to clarify that when a confidentiality order under section 91(7) expires or ceases to apply, the council must also make that document (or part of a document) available on the council website.

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4. Amendments to Schedule 5—Documents to be made available by councils

Section 144 of the Review Act makes several amendments to Schedule 5 of the Local Government Act. Part 8 of this resource provides a marked-up version of Schedule 5 which includes the amendments summarised below.

September 2021 commencement

Section 144(4) of the Review Act commenced on 20 September 2021 and inserted the following in Schedule 5 of the Local Government Act:

Information and briefing session papers

- Record made by council or chief executive officer relating to an order under section 90(2) (in accordance with section 90A(4)) made at or in relation to an information or briefing session.

The amendment provides that when the council or the CEO makes an order that an information or briefing session be closed to the public, a record of that order must be made available in accordance with section 132(1) of the Local Government Act.

November 2021 commencement

Section 144(2) and (3) of the Review Act commenced on 10 November 2021 and made the following amendments to Schedule 5 of the Local Government Act:

Meeting Papers

- Inserted at the 3rd dot point, the following italicised text:

  Documents and reports *(including attachments and any information or material referred to in the documents or reports) supplied* to the council or a council committee that are able to be supplied to members of the public.

This amendment clarifies that all attachments and any information or material referred to in meeting documents or reports must also be made available to the public in accordance with section 132(1) of the Local Government Act (unless subject to a confidentiality order under section 90(2)).

Meeting Papers

- Inserted after the 4th dot point, a new dot point shown in the following italicised text:

  Schedule of dates, times and places set for meetings of the council or council committee.

This amendment moves the requirement to make available on the council website an up-to-date schedule of dates, times and places for meetings from section 94A of the Local Government to Schedule 5.

Commencement yet to be determined

Section 144(1), (5) and (6) of the Review Act are yet to have commencement dates proclaimed. The amendments relate to:

- removing references to the code of conduct;
- including reference to the new community engagement policies, behavioural management policies, behavioural support policies and employee behavioural standards; and
- consequential numbering changes to reflect relevant changes to the Local Government Act.

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Amendments contained in regulations – November 2021 commencement

The *Local Government (General) (Review) Variation Regulations 2021* (the Variation Regulations) make amendments to the *Local Government (General) Regulations 2013* (the General Regulations), that consequently further amends Schedule 5 of the Local Government Act.

As a result of the amendments to regulation 36 of the General Regulations, the following changes have been made to Schedule 5 of the Local Government Act:

- Deleting, under the heading 'Registers and Returns'—the 2nd dot point that reads:

  Campaign donations returns under the *Local Government (Elections) Act 1999.*

Campaign donations returns will now be managed by the Electoral Commissioner of South Australia and councils will no longer be required to make them available.

- Inserting the following italicised text after the 1st dot point under the heading 'Information and briefing session papers':

  Record made by council or chief executive officer of the information that is required to be published as soon as practicable after the holding of an information or briefing session in accordance with section 90A(7)(b).

Council, or the CEO, in accordance with section 90A(7)(b) must publish the prescribed information contained within regulation 8AB of the General Regulations as soon as practicable after the holding of an information or briefing session. This amendment ensures that this information is also made available in accordance with section 132(1).

- Deleting 'Annual' and substituting 'Draft annual business plan, annual' in the 5th dot point under the heading 'Policy and administrative documents' so that it reads:

  Draft annual business plan, annual business plan (after adoption) and the summary required under this Act.

The public inspection requirements relating to annual business plans have been removed from section 123 of the Local Government Act. This amendment ensures that the annual business plan and associated documents are available in accordance with section 132(1). Councils are no longer required to ensure the summary of the annual business plan is available for members of the public to take from the principal office without charge.

- Deleting the 9th dot point under the heading 'Policy and administrative documents' that reads:

  Extracts from the council's assessment record.

The council's assessment record has been made exempt from the requirements under section 132(1) for commercial and safety reasons.

- Deleting the 16th and 17th dot points under the heading 'Policy and administrative documents' that read:

  The most recent information statement of the council under the *Freedom of Information Act 1991.*

  Any policy document of the council within the meaning of the *Freedom of Information Act 1991* (if not already referred to above).

These two dot points have been removed to ensure there is no inconsistency between the requirements under the Local Government Act and the *Freedom of Information Act 1991* (FOI Act). Requirements for website publication and public inspection of Freedom of Information materials and policies should be in accordance with the FOI Act.

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- Inserting the following italicised text after the 1st dot point under the heading 'By-laws':

  Any determination in respect of a by-law made under section 246(3)(e).

This amendment requires councils to ensure that a determination by council to provide that a by-law, or a provision of a by-law, applies only within a part or parts of the area is made available in accordance with section 132(1). This requirement was previously listed in 132(3)(f).

5. Other relevant amendments

Prudential requirements for certain activities – section 48

The amendment to section 48 removes the requirement to ensure a prudential report (required under section 48(1) of the Local Government Act) is made available for public inspection at the principal office once the council has made a decision on that relevant project.

This requirement has not been moved to Schedule 5 of the Local Government Act. Council's already make these reports available to the public through the council agenda (unless subject to a confidentiality order). There is no separate requirement to publish this report outside of the council agenda.

Publication of Register – section 70

Section 70(a1) provides that the CEO must publish the Register of Interests on a website determined by the CEO. Section 70(a2) provides that the CEO must ensure that the following details are not published under subsection (a1):

(a) a person's residential address;

(b) any other address supressed from the Register under section 68(4)(a).

The Office of Local Government (the 'OLG') has clarified that the intent of the requirement in section 70(a1) 'to publish the Register on a website determined by the chief executive officer' is to simplify publishing requirements for councils, by replacing the requirement for councils to provide the Register for inspection at the principal office under the current section 70(1) with online publication, and, in doing so, to also obviate councils' need to provide extracts under the current section 70(1a), and to provide copies of an 'inspected' Register under section 70(2).

This change was made in the understanding that the Register that must be maintained by the chief executive officer under section 68(1) (and therefore made available for inspection under section 70(1)) would include information furnished through returns provided by **current members of councils** in accordance with sections 65, 66 and 67 of the Local Government Act.

The purpose of the register of interests under the legislative scheme in the Local Government Act is to inform members and the public about the ongoing interests of current members of council to ensure that council members are managing their conflicts of interests and making critical decisions in the public interest (noting that the relevant sections are in Part 4 of Chapter 5 – Conduct and disclosure of interests). The intention is that the Register is a 'living' document, to be updated from time to time with information from the relevant returns provided by members. Therefore, the expectation is that the Register would include current information about the current members of council so that this information is publicly available.

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Of course, this does not derogate in any way from councils' requirement to retain information from returns provided by previous council members in accordance with the *State Records Act 1997* and to dispose of the records in accordance with the disposal schedule in GDS40.

Please note, registers required under the Local Government Act are also listed in Schedule 5 and, as a result, councils will also need to ensure a printed copy is provided to a person on request (on payment of a fee (if any)) in accordance with section 132(1)(b).

Public notice of council meetings and council committee meetings – section 84 & 88

Amendments to section 84(1a) and 88(1a) of the Local Government Act have changed how the CEO must publicly give notice of council meetings and council committee meetings. The CEO is no longer required to ensure that a copy of the notice and agenda are on public display at each office of the council that is open to the public.

The CEO must now ensure that the notice is on public display at the principal office, and that the notice and agenda are made available in accordance with section 132(1)(a) (published on the council website). The notice must be kept on display (and published on the council website) until the completion of the relevant meeting.

The requirement under section 84(5)(a) and 88(5) to ensure a reasonable number of copies of any document or report supplied to members before a meeting are available at the principal office has been removed. This requirement can now be satisfied by making the document or report available on the council website.

Please note, 'notice and agenda for meetings of the council, council committees and electors' is listed in schedule 5 of the Local Government Act. In accordance with section 132, council must ensure that it publishes a document referred to in schedule 5 on a website determined by the CEO and, on request, provide a person with a printed copy (on payment of a fee (if any) fixed by the council).

Minutes and release of documents – section 91

Councils are no longer required to place a copy of the minutes of a meeting of the council on public display at the principal office within five days after the meeting and keep them on display for a period of one month.

The requirements for the publication of minutes and release of documents are included in Schedule 5, and as a result, council must now, in accordance with section 132(1), ensure that:

- the minutes of meetings;
- documents and reports (including attachments and any information or material referred to in the documents or reports) supplied to the council or council committee that are able to be supplied to members of the public; and
- recommendations adopted by resolution of the council,

are published on the council website and that a printed copy is provided to a person on request and on payment of a fixed fee (if any).

Section 132(1) does not apply to a document or part of a document if it relates to a matter dealt with on a confidential basis and the council or council committee orders that it be kept confidential.

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Code of practice—Access to meeting and documents – section 92

Section 92 has been amended to remove the requirement to make copies of the proposed code, alterations or substitute code available for public inspection or purchase at the principal office before adopting, altering or substituting a code of practice under section 92.

The amended section 92(5) provides that council must now, before adopting, altering or substituting a code of practice under section 92, undertake public consultation on that proposed code, alteration or substitute code.

Regulation 8 of the *Local Government (Transitional Provisions) Regulations 2021* provides that public consultation will be taken to be satisfied if council follows the relevant steps set out in its public consultation policy until the new Community Engagement Charter commences.

Please note, the *Electronic Participation in Council Meetings Notice (No 5) 2021* has suspended the operation of section 92(5) until 28 days after the cessation of all relevant public health emergency declarations. As a result, councils are not required to undertake public consultation as mentioned above whilst the Notice is still in place.

Codes of practice under the Local Government are listed in Schedule 5, and as a result, councils must ensure they are made available in accordance with section 132(1).

Passing by-laws – section 249

Section 249 of the Local Government Act has been amended to remove the requirements to make copies of a proposed by-law available for public inspection, and to publish a notice in a newspaper circulating in the area of the council before council is able to resolve to make a by-law.

The new section 249(1) provides that council must ensure, at least 21 days before resolving to make a by-law, that copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) are made available to the public in accordance with section 132(1) (published on a council website and provided as a printed copy on request).

Regulation 10 of the *Local Government (Transitional Provisions) Regulations 2021* excludes the application of amendments to section 249 to or in relation to a proposal to make a by-law if the copies of the proposed by-law have been made available under the previous section 249(1)(a) and a notice published in accordance with the previous section 249(1)(b) prior to 10 November 2021.

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6. Extract of public inspection/display requirements

The following provides an extract of all public inspection/display requirement amendments to the Local Government Act that commenced on 10 November 2021. A large portion of these council documents are included (or have been moved to) Schedule 5 and are subject to publication and availability in accordance with section 132(1).

s 44	Record of delegations	**~~44~~—Delegations** … ~~(7) A person is entitled to inspect (without charge) the record of delegations under subsection (6) at the principal office of the council during ordinary office hours.~~ ~~(8) A person is entitled, on payment of a fee fixed by the council, to an extract from the record of delegations under subsection (6).~~
s 48	Prudential reports	**~~48~~—Prudential requirements for certain activities** … ~~(5) A report under subsection (1) must be available for public inspection at the principal office of the council once the council has made a decision on the relevant project (and may be available at an earlier time unless the council orders that the report be kept confidential until that time).~~ (6) ~~However, a council may take steps to prevent the disclosure of specific information~~ A council may take steps to prevent the disclosure of specific information in a report under subsection (1) in order to protect its commercial value or to avoid disclosing the financial affairs of a person (other than the council).
s 49	Contracts & tenders policy	**~~49~~—Contracts and tenders policies** … ~~(4) A person is entitled to inspect (without charge) a policy of a council under this section at the principal office of the council during ordinary office hours.~~ ~~(5) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under this section.~~

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s 70	Register of interests	**70—Publication of Register** ~~(a1) A council must publish, in accordance with the regulations, the following details in relation to each member of the council contained in the Register on a website determined by the chief executive officer (and cause the details on the website to be updated at regular intervals):~~ ~~(a) the member's income sources (within the meaning of Schedule 3) or employer;~~ ~~(b) the name of any political party, any body or association formed for political purposes or any trade or professional organisation (within the meaning of Schedule 3) of which the member is a member;~~ ~~(c) any gifts received by the member that are required to be included in the information entered in the Register in relation to the member.~~ (a1) The chief executive officer must publish the Register on a website determined by the chief executive officer. (a2) However, the chief executive officer must ensure that the following details are not published under subsection (a1): (a) a person's residential address; (b) any other address suppressed from the Register under section 68(4)(a). ~~(1) A person is entitled to inspect (without charge) the Register at the principal office of the council during ordinary office hours.~~ ~~(2) A person is entitled, on payment of a fee fixed by the council, to a copy of the Register~~.
s 77	Reimbursement of expenses	**77—Reimbursement of expenses** … ~~(3) A person is entitled to inspect (without charge) a policy of a council under subsection (1)(b) at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under subsection (1)(b).~~
s 79	Register of allowances & benefits	**79—Register of allowances and benefits** … ~~(3) A person is entitled to inspect (without charge) the Register at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the Register.~~
s 80A	Training & development policy	**80A—Training and development** … ~~(4) A person is entitled to inspect (without charge) a policy under this section at the principal office of the council during ordinary office hours.~~ ~~(5) A person is entitled, on payment of a fee fixed by the council, to a copy of a policy under this section.~~

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s 83	Notice of meetings	**83—Notice of ordinary or special meetings** … ~~(8) The chief executive officer must maintain a record of all notices of meetings given under this section to members of the council.~~
s 84	Public notice of council meetings	**84—Public notice of council meetings** … ~~(1a) The chief executive officer must give the notice required under subsection (1) in the following manner:~~ ~~(a) by causing a copy of the notice and the agenda for the meeting to be placed on public display at each office of the council that is open to the public for the general administration of council business within its area; and~~ ~~(b) by publishing the notice and the agenda for the meeting on a website determined by the chief executive officer.~~ (1a) The chief executive officer must publicly display the notice required under subsection (1) at the principal office of the council and publish the notice and agenda for the meeting in accordance with section 132(1)(a). … ~~(3) A person is entitled, on payment of a fee fixed by the council, to obtain a copy of a notice and agenda on display under subsection (1a)(a).~~ ~~(4) The notice and agenda must be kept on public display, and continue to be published on the website, under subsection (1a) until the completion of the relevant meeting.~~ (3) The notice required under subsection (1) must be kept on public display and continue to be published in accordance with section 132(1)(a) until the completion of the relevant meeting. (5) The chief executive officer must also ensure that a reasonable number of copies of any document or report supplied to members of the council for consideration at a meeting of the council are available for inspection by members of the public— (a) in the case of a document or report supplied to members of the council before the meeting—~~at the principal office of the council~~ on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the council; or (b) in the case of a document or report supplied to members of the council at the meeting—at the meeting as soon as practicable after the time when the document or report is supplied to members of the council.

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s 88	Public notice of committee meetings	**88—Public notice of committee meetings** … ~~(1a) The chief executive officer must give the notice required under subsection (1) in the following manner:~~ ~~(a) by causing a copy of the notice and the agenda for the meeting to be placed on public display at each office of the council that is open to the public for the general administration of council business within its area; and~~ ~~(b) by publishing the notice and the agenda for the meeting on a website determined by the chief executive officer.~~ (1a) The chief executive officer must publicly display the notice required under subsection (1) at the principal office of the council and publish the notice and agenda for the meeting in accordance with section 132(1)(a). … ~~(3) A person is entitled, on payment of a fee fixed by the council, to obtain a copy of a notice and agenda on display under subsection (1a)(a).~~ ~~(4) The notice and agenda must be kept on public display, and continue to be published on the website, under subsection (1a) until the completion of the relevant meeting.~~ (3) The notice and the agenda for the meeting must be kept on public display and continue to be published in accordance with section 132(1)(a) until the completion of the relevant meeting. (5) The chief executive officer must also ensure that a reasonable number of copies of any document or report supplied to members of a council committee for consideration at a meeting of the committee are available for inspection by members of the public ~~at the principal office of the council~~ on a website determined by the chief executive officer as soon as practicable after the time when the document or report is supplied to members of the committee.

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s 91	Minutes & release of documents	**91—Minutes and release of documents** … ~~(4) A copy of the minutes of a meeting of the council must be placed on public display in the principal office of the council within five days after the meeting and kept on display for a period of one month.~~ ~~(5) A person is entitled to inspect, without payment of a fee, at the principal office of the council—~~ ~~(a) minutes kept under this section; and~~ ~~(b) reports to the council or a council committee received at a meeting of the council or committee; and~~ ~~(c) recommendations presented to the council in writing and adopted by resolution of the council; and~~ ~~(d) budgetary or other financial statements adopted by the council.~~ ~~(6) A person is entitled, on payment of a fee fixed by the council, to a copy of any documents available for inspection under subsection (5).~~ (7) ~~However, subsections (4), (5) and (6) do~~ Section 132(1) does not apply to a document or part of a document if— (a) the document or part relates to a matter dealt with by the council or council committee on a confidential basis under Part 3; and (b) the council or council committee orders that the document or part be kept confidential.
s 92	Code of practice – access to meetings & documents	**92—Access to meetings and documents—code of practice** … ~~(5) Before a council adopts, alters or substitutes a code of practice under this section it must—~~ ~~(a) make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer; and~~ ~~(b) follow the relevant steps set out in its public consultation policy.~~ ~~(6) A person is entitled to inspect (without charge) the code of practice of a council at the principal office of the council during ordinary office hours.~~ ~~(7) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.~~ (5) Before a council adopts, alters or substitutes a code of practice under this section it must undertake public consultation on the proposed code, alterations or substitute code (as the case may be).
s 94A	Meeting information on website	~~**94A—Meeting information on website**~~ ~~The chief executive officer of a council must, so far as is reasonably practicable, make available for inspection on the Internet an up-to-date schedule of the dates, times and places set for meetings of the council and council committees.~~

s 105	Register of remuneration, salaries & benefits	**105—Register of remuneration, salaries and benefits** … ~~(3) A person is entitled to inspect the Register of Salaries at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the Register of Salaries.~~
s 122	Strategic management plans	**122—Strategic management plans** … ~~(7) A council must ensure that copies of its strategic management plans under this section are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council.~~
s 123	Annual business plans	**123—Annual business plans and budgets** … (9) A council must, after adopting an annual business plan and a budget— (a) ensure— (i) that a summary of the annual business plan is prepared so as to assist in promoting public awareness of the nature of its services and its rating and financial management policies, taking into account its objectives and activities for the ensuing financial year; and (ii) that a copy of the summary of the annual business plan accompanies the first rates notice sent to ratepayers after the declaration of its rates for the financial year; and ~~(b) ensure—~~ ~~(i) that copies of the annual business plan and the budget (as adopted) are available for inspection (without charge) or purchase (on payment of a fee fixed by the council); and~~ ~~(ii) that copies of the summary of the annual business plan are available for inspection and to take (without charge),~~ ~~at the principal office of the council; and~~ ~~(c) ensure that electronic copies of the annual business plan and the budget (as adopted) are published on a website determined by the chief executive officer.~~

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s 127	Financial statements	**127—Financial statements** … ~~(5) A council must ensure that copies of its audited statements are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council.~~ ~~(6) A member of the council is entitled to inspect financial statements and other documents prepared under this section at any reasonable time.~~
s 131	Annual reports	**131—Annual report to be prepared and adopted** … ~~(8) A council must ensure that copies of its annual report are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council.~~
s 188	Fees & charges	**188—Fees and charges** … ~~(6) The council must keep a list of fees and charges imposed under this section on public display (during ordinary office hours) at the principal office of the council.~~ (7) If a council— (a) fixes a fee or charge under this section; or (b) varies a fee or charge under this section, the council must ~~up-date the list referred to in subsection (6) and~~ take reasonable steps to bring the fee or charge, or the variation of the fee or charge, to the notice of persons who may be affected.
s 207	Register of community land	**207—Register** (1) A council must keep a register of all community land in its area. … ~~(3) The register must be available for inspection (without charge) by the public at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the register.~~
s 131	Register of public roads	**231—Register** (1) A council must keep a register of public roads in its area. … ~~(3) The register must be available for public inspection (without charge) at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the register.~~

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s 249	Passing by-laws	**249—Passing by-laws** ~~(1) If it is proposed that a council make a by-law, the council must, at least 21 days before resolving to make the by-law—~~ ~~(a) make copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) available for public inspection, without charge and during ordinary office hours, at the principal office of the council, and so far as is reasonably practicable on the Internet; and~~ ~~(b) by notice in a newspaper circulating in the area of the council—~~ ~~(i) inform the public of the availability of the proposed by-law; and~~ ~~(ii) set out the terms of the by-law, or describe in general terms the by-law's nature and effect.~~ (1) If it is proposed that a council make a by-law, the council must, at least 21 days before resolving to make the by-law, ensure that copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) are made available to the public in accordance with section 132(1).
s 252	Register of by-laws	**252—Register of by-laws and certified copies** (1) A council must cause a separate register to be kept of all by-laws made or adopted by the council. … ~~(3) A person is entitled to inspect the register at the principal office of the council during ordinary office hours.~~ ~~(4) A person is entitled, on payment of a fee fixed by the council, to an extract from the register.~~
s 259	Order making policy	**259—Councils to develop policies** ~~(6) A person is entitled to inspect (without charge) a policy at the principal office of the council during ordinary office hours.~~ ~~(7) A person is entitled, on payment of a fee fixed by the council, to a copy of the policy.~~

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7. Extract of Section 132—Access to documents

Part 5—Access to documents

132—Access to documents

~~(1) A member of the public is entitled~~

~~(a) to inspect a document referred to in Schedule 5 at the principal office of the council during ordinary office hours without charge; and~~

~~(b) to purchase a document referred to in Schedule 5 at the principal office of the council during ordinary office hours for a fee fixed by the council.~~

~~(2) A council may make a document available in electronic form for the purposes of subsection (1)(a).~~

~~(3) A council must make the following documents available for inspection on a website determined by the chief executive officer within a reasonable time after they are available at the principal office of the council:~~

~~(a) agendas for meetings of the council or council committees;~~

~~(b) minutes of meetings of the council or council committees;~~

~~(c) codes of conduct or codes of practice adopted by the council under this Act or the *Local Government (Elections) Act 1999*;~~

~~(d) the council's contract and tenders policies, public consultation policy and order making policies;~~

~~(da) the council's draft annual business plan, annual business plan (as adopted by the council) and the summary of the annual business plan required under Part 2 of this Chapter;~~

~~(db) the council's budget (as adopted by the council for a particular year);~~

~~(e) a list of fees and charges imposed by the council under this Act;~~

~~(f) by laws made by the council and any determination in respect of a by law made under section 246(3)(e);~~

~~(g) procedures for the review of decisions established by the council under Part 2 of Chapter 13;~~

~~(h) the audited financial statements of the council;~~

~~(i) the annual report of the council;~~

~~(j) the council's most recent information statement under the *Freedom of Information Act 1991*, unless it is provided as part of the annual report of the council.~~

(1) Subject to the regulations, a council must—

(a) publish a document referred to in Schedule 5 on a website determined by the chief executive officer; and

(b) on request, provide a person with a printed copy of a document referred to in Schedule 5 (on payment of a fee (if any) fixed by the council).

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(3a) To avoid doubt, if an order under section 91(7) expires or ceases to apply in relation to a document or part of a document, the council must ~~make the document or part of the document (as the case requires) available for inspection on the website referred to in subsection (3) within a reasonable time after it is available for inspection under section 91(5) at the principal office of the council~~ ensure that the document or part of the document (as the case requires) is published on the website determined by the chief executive officer (in accordance with subsection (1)(a)).

(4) The Governor may amend Schedule 5 from time to time by regulation.

~~(4a) The Governor may by regulation amend the list of documents contained in subsection (3) from time to time.~~

(5) This section does not limit or affect—

(a) the operation of the *Freedom of Information Act 1991* to council documents; or

(b) the operation of any other section of this Act or the *Local Government (Elections) Act 1999*.

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8. Extract of Schedule 5—Documents to be made available by councils

Please note the following:

- Red: As amended by the *Statutes Amendment (Local Government Review) Act 2021.*
- Blue: As amended by regulation 8 of the *Local Government (General) (Review) Variation Regulations 2021.*
- Yellow highlight: not commenced as of November 2021.

Schedule 5—Documents to be made available by councils

Reviews of council constitution, wards and boundaries

- Representation options papers and reports on reviews of council composition or ward structure (Chapter 3 Part 1 Division 2)

Registers and Returns

- Registers required under this Act or the *Local Government (Elections) Act 1999*, other than the Register of Interests kept for the purposes of Chapter 7 Part 4 ~~Division 2~~ Division 1 Subdivision 2
- ~~Campaign donations returns under the *Local Government (Elections) Act 1999*~~

Codes

- Codes ~~of conduct or codes~~ of practice under this Act or the *Local Government (Elections) Act 1999*

Meeting papers

- Notice and agenda for meetings of the council, council committees and electors
- Minutes of meetings
- Documents and reports (including attachments and any information or material referred to in the documents or reports) supplied to the council or a council committee that are able to be supplied to members of the public
- Recommendations adopted by resolution of the council
- Schedule of dates, times and places set for meetings of the council or council committee

Information and briefing session papers

- Record made by council or chief executive officer relating to an order under section 90(2) (in accordance with section 90A(4)) made at or in relation to an information or briefing session
- Record made by council or chief executive officer of the information that is required to be published as soon as practicable after the holding of an information or briefing session in accordance with section 90A(7)(b)

Policy and administrative documents

- Record of delegations under this Act (other than delegations made by the Minister)
- Contract and tenders policies
- Policy for the reimbursement of members' expenses
- Strategic management plans
- ~~Annual~~ Draft annual business plan, annual business plan (after adoption by council) and the summary required under this Act
- Annual budget (after adoption by council)

For further information contact the Governance Team
148 Frome Street Adelaide SA 5000 | governance@lga.sa.gov.au | 08 8224 2000 | lga.sa.gov.au ECM 769338

Local Government Association of South Australia

LG Equip

- Audited financial statements
- Annual report
- ~~Extracts from the council's assessment record~~
- List of fees and charges
- ~~Public consultation policies~~
- Community engagement policies
- Behavioural management policies
- Behavioural support policies
- Employee behavioural standards
- Management plans for community land
- Policy on the making of orders
- Procedures for the review of council decisions (Chapter 13 Part 2) and any report under section 270(8)
- Charter for subsidiaries established by the council or for which the council is a constituent council
- ~~The most recent information statement of the council under the Freedom of Information Act 1991~~
- ~~Any policy document of the council within the meaning of the Freedom of Information Act 1991 (if not already referred to above)~~

By-laws

- By-laws made by the council
- Any determination in respect of a by-law made under section 246(3)(e)

This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse Lawyers, for the guidance of and use by member councils. ***Last updated:*** *15/11/2021*

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For further information contact the Governance Team
148 Frome Street Adelaide SA 5000 | governance@lga.sa.gov.au | 08 8224 2000 | lga.sa.gov.au

11.8 Stormwater Management Authority - Nominations sought	
Report Reference	GC211214R11.8
Originating Officer	Executive Assistant to the Mayor – Tom Matthews
Corporate Manager	Manager Office of the Chief Executive - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

The purpose of this report is to seek a nomination for election to the Stormwater Management Board.

EXECUTIVE SUMMARY

The Minister for Environment and Water has written to the LGA requesting nominations for the Stormwater Management Authority (SMA) as the term of membership for the current four LGA nominated members (including the Presiding Member) comes to an end in June 2022. The existing LGA nominated members are eligible for reappointment.

The SMA leads the development and supports the implementation of multi-objective stormwater management plans that address flood risk, environmental amenity and water security and that maximise the public benefit of stormwater. The Authority operates as a body for the planning, prioritisation and funding of stormwater initiatives, and administers the Stormwater Management Fund which provides funding for stormwater planning and infrastructure projects. The SMA operates under *Clause 7, Sch 1A Local Government Act 1999*.

There are 6 meetings per year, generally held in the Adelaide CBD. Meetings are usually of 3 hours duration. Mutually convenient dates and time are determined with members.

The Presiding Member remuneration is $18,574pa. The ordinary members remuneration is $12,383pa.

Additional Information about the role is included in Attachment 1.

Council members were notified by email of the nominations and interest was received from Councillor Hutchinson to be considered for nomination.

RECOMMENDATION

That Council:

1. **Notes the report.**
2. **Council nominates XXX to the LGA for the appointment on the Stormwater Management Authority**
3. **Administration forwards the above nomination/s to the Stormwater Management Authority by COB 4 February 2022**

ATTACHMENTS

1. Part A Stormwater Management Authority 1 [**11.8.1** - 1 page]

Local Government Association of South Australia

The voice of local government.

Nominations to Outside Bodies - Part A

Stormwater Management Authority (SMA)	
Legal Status of Body	The SMA is established under Clause 7, Sch 1A Local Government Act 1999
Summary Statement	Implements the Agreement on Stormwater Management between the State of South Australia and the LGA. Leads the development and supports the implementation of multi-objective stormwater management plans that address flood risk, environmental amenity and water security and that maximise the public benefit of stormwater. The Authority operates as a body for the planning, prioritisation and funding of stormwater initiatives, and administers the Stormwater Management Fund which provides funding for stormwater planning and infrastructure projects.
Meetings	There are 6 meetings per year, generally held in the Adelaide CBD. Meetings are usually of 3 hours duration. Mutually convenient dates and time are determined with members.
Selection criteria *The following selection criteria based on the Panel Information Pack must be addressed when completing Part B*	
Qualifications / industry experience	• Qualifications and/or experience in public administration, water resources, stormwater management, mitigation of flood hazards, environmental management or infrastructure development. • appropriate qualifications or experience to represent the interests of regional local government
Liability and indemnity cover *The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)*	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	**Yes**
Insurance Policies are valid & current	**Yes**

11.9 Spinnaker Circuit Reserve – Revocation of Community Land Classification	
Report Reference	GC211214R11.9
Originating Officer	Heather Carthew – Land Asset Officer
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To provide Council with the outcomes from the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the revocation of the community land classification of land at Spinnaker Circuit, Sheidow park being the whole of Spinnaker Circuit Reserve – East (the Reserve), for the potential disposal of the Reserve as set out in this report. A map of the Reserve is provided as Attachment 1.

The report also seeks approval to progress the revocation of the community land classification with the Minister for Local Government.

REPORT HISTORY

Report Reference	Report Title
GC190924R03	Spinnaker Circuit Reserve East, Sheidow Park – Potential Sale
GC191210R03	Spinnaker Circuit Reserve East – Community Engagement
GC200225M01	Rescission Motion - Spinnaker Circuit Reserve East
GC201013R05	Spinnaker Circuit Reserve East – Revocation of Community Land Classification
GC210727R11.3	Spinnaker Circuit Reserve – Revocation of Community Land Classification

EXECUTIVE SUMMARY

Community consultation for the revocation of the Community Land classification for the whole of the Reserve was undertaken from 30 September 2021 to 29 October 2021. The consultation included a direct mail out to residents living within 400m of the reserve, with a hard copy survey, reply paid envelope and a reference to the Making Marion website, notices to Statutory Authorities and publication of notices in the Government Gazette and The Advertiser.

61 submissions were received and the overall level of support for Council's proposal to revoke the Community Land Classification of the Reserve is:

- 35 respondents strongly support and support the proposal
- 3 respondents are undecided and
- 22 respondents do not support or strongly support the proposal
- 1 respondent skipped this question.

Of the respondents who strongly support and support the proposal:

- 14 live within the distribution area
- 21 live outside the distribution area

Two submissions were received after the conclusion of the community engagement period and have not been included in the statistics contained in this report. A copy of the submissions are attached to the Community Engagement Report (Attachment 2).

Full details of the number of respondents for each level of support and their place of residence are included in this report.

A summary of the previous Council Resolutions is attached (Attachment 3).

RECOMMENDATION

That Council:

1. **Notes the outcome of the community consultation process undertaken for the revocation of the Community Land Classification for the whole of Spinnaker Circuit Reserve – East, Sheidow Park, at Lot 88 in deposited Plan 17901, Certificate of Title Volume 5546 Folio 484 and for the potential disposal of the approximately 6,158 square metres of land.**
2. **Declares that the retention of the land does not contribute to Council's strategic objectives and is surplus to Council's requirements.**
3. **Authorises the lodgement of the request for consent to revoke the Community Land Classification over the whole of Spinnaker Circuit Reserve – East for the potential disposal of the land with the Minister for Local Government in accordance with Section 194 of the Local Government Act 1999:**
    a. **With a report on all submissions made as part of the public consultation process**
    b. **A request to approve the revocation of the Community Land Classification over Spinnaker Circuit Reserve – East.**
4. **Notes a further report will be presented to Council upon receipt of the determination from the Minister for Local Government in relation to the revocation. Subject to Ministerial approval, the net proceeds from the sale will be paid into the Open Space Reserve Fund for the development of open space as provided by Council.**

GENERAL ANALYSIS

Engaged	Community consultation for the revocation of the Community Land Classification under Section 194(2)(b) of the Local Government Act 1999 concluded on 29 October 2021.
Legal / Legislative / Policy	The Community Land Classification must be revoked under the Local Government Act 1999 to enable the Reserve to be sold. This will satisfy the requirements of the Real Property Act 1999.

BACKGROUND

Spinnaker Circuit Reserve – East, Sheidow Park (the Reserve) is community land adjacent St Martin De Porres School (the School).

The School approached Council and expressed interest in the Reserve as additional parking and potentially for other purposes such as a sealed court area, a garden or a play area. The School currently licences a portion of the Reserve for car parking and storage of site sheds. The Licence expires on 29 June 2022.

Initial community engagement was undertaken in November 2019.The submissions were detailed in GC181219R03. Community consultation for the revocation of the Community Land classification was undertaken in August and September 2020 in accordance with Section 194(2)(b) of the Local Government Act. In accordance with a resolution made on 13 October 2020 (GC201013R05), a

submission was made to the Minister requesting consent to revoke the Community Land classification, however, the Minister declined the request on the basis that the Section 194(2)(a) Report for Consultation did not meet the requirements of the Act. The Minister required that Council undertake the Community Consultation process again with an updated Section 194 Report for consultation should council wish to reapply for their consent to revoke the community land status of the land.

On 27 July 2021 (GC210727R11.3) Council resolved:

That Council:

1. *Acknowledges the determination by the Minister for Planning and Local Government dated 23 June 2021;*
2. *Confirms its intention is to sell the portion of the reserve indicated as 'Piece A' in Attachment 3 to St Martins De Porres School by negotiation, at or close to market value (based on assumed residential zoning value), subject to the outcome of the revocation process;*
3. *Confirms its intention is to sell the portion of the reserve indicated as 'Piece B' in Attachment 3 on the open market in a manner to achieve maximum net financial return to Council, subject to the outcome of the revocation process;*
4. *Endorses the Report for Consultation titled 'Section 194 Report for Consultation – Spinnaker Circuit Reserve' contained in Attachment 1 and resolves that it be subject to a period of Community Engagement, , in accordance with Section 194(2)(b) of the Local Government Act 1999 and Council's Community Engagement Policy;*
5. *Authorises the 'Chief Executive Officer' or his nominee, to make minor variations to the Report for Public Consultation prior to the commencement of Community Engagement;*
6. *Require a Community Engagement Plan to be prepared and referred to the Ward Councillors and Mayor for review prior to the commencement of the consultation period, community consultation to include mail out to residents within a 400 metre radius of the reserve, excluding the area to the west of Lonsdale Road;*
7. *Confirms that should the revocation of community land classification and sale proceed, that net sale proceeds will be paid into the Open Space Reserve Fund for the development of Open Space for the benefit of the community, as approved by Council.*
8. *Requires a further report to be presented for consideration by Council following conclusion of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential revocation of community land classification of the whole of the land known as Spinnaker Circuit Reserve East, Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546 Folio 484 to enable Council to determine if the revocation and disposal process should proceed.*

DISCUSSION

In accordance with the Resolution, Community Engagement was undertaken from 30 September 2021 to 29 October 2021 for the revocation of the Community Land.

The consultation included:

- A direct mail out which included a flyer to 300 residents within a 400m radius of the Reserve (excluding west of Lonsdale Highway)
- A letter to Statutory Authorities
- Publication of notices in the Government Gazette and The Advertiser.
- More information was available at:
  - Council's Administration Centre, 24 Sturt Road, Sturt
  - Council's City Services building, 935 Marion Road Mitchell Park

  - Libraries at the Cove civic Centre, Marion Cultural Centre and Park Holme
  - Visiting the Making Marion website www.makingmarion.com.au/spinnaker-circuit-reserve-revocation
- Signs were placed on both the Spinnaker Circuit and Berrima Road street frontages.

The engagement asked people to indicate via a feedback form their level of support for the proposal:

- To revoke the Community Land classification of Spinnaker Circuit Reserve East
- To sell Piece A to St Martin De Porres School
- To sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to council
- For a pathway linking Berrima Road and Spinnaker Circuit

At the conclusion of the consultation period, 40 survey submissions were submitted via Making Marion and 21 hard copy submissions were received.

Two hard copy submissions were received after the community consultation concluded. Copies of the submissions are attached to the Community Engagement Report (Attachment 2) however the results are not included in the statistics detailed in this Report.

No responses were received from the Service Authorities.

The number of respondents received per suburb and Council area is:

City of Marion	
Sheidow Park	45
Hallett Cove	7
Trott Park	1
Seaview Downs	1
Dover Gardens	1
Total within City of Marion	55
Outside City of Marion	
Reynella	2
Happy Valley	1
O'Sullivan Beach	1
Aberfoyle Park	1
Woodcroft	1
Total outside City of Marion	6

The responses are summarised in the Community Engagement Report (Attachment 2).

LEVEL OF SUPPORT FOR EACH PROPOSAL FOR RESPONDENTS WITHIN A 400 METRE RADIUS OF THE RESERVE 38 of the 61 RESPONDENTS LIVE WITHIN THIS RADIUS								
	Q1: Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve?		Q2: Do you support the proposal to: a. Sell piece A to St Martin De Porres School?		Q3: Do you support the proposal to: b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council?		Q4: Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?	
	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38
Strongly Support	7	18.4	7	18.4	6	15.7	19	50.0
Support	7	18.4	11	29.0	5	13.2	6	15.8
Undecided	2	5.3	1	2.6	7	18.4	6	15.8
Do not Support	2	5.3	1	2.6	2	5.3	2	5.3
Strongly do not Support	20	52.6	16	42.1	18	47.4	5	13.1
Respondents who did not answer this question	0	0	2	5.3	0	0	0	0

LEVEL OF SUPPORT FOR EACH PROPOSAL FOR RESPONDENTS OUTSIDE A 400 METRE RADIUS OF THE RESERVE 23 of the 61 RESPONDENTS LIVE OUTSIDE THIS RADIUS								
	Q1: Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve?		Q2: Do you support the proposal to: a. Sell piece A to St Martin De Porres School?		Q3: Do you support the proposal to: b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council?		Q4: Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?	
	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23
Strongly Support	19	82.6	22	95.7	5	21.7	10	43.5
Support	2	8.7	1	4.3	4	17.4	10	43.5
Undecided	1	4.3	0	0	8	34.8	3	13.0
Do not Support	0	0	0	0	2	8.7	0	0
Strongly do not Support	0	0	0	0	4	17.4	0	0
Respondents who did not answer this question	1	4.4	0	0	0	0	0	0

While respondents who live within 400 meters of the Reserve generally do not support the revocation, 47.4% either strongly support or support the sale of Piece A to the School compared to 44.7% who either strong do not support or do not support the sale.

A map showing the respondents by level of support and location is attached (Attachment 4).
When asked the question around the sale of part B, there was an increased percentage of undecided of 18.4% by respondents living within 400 meters of the Reserve, with 52.7% who either strongly do not support or do not support the revocation and sale of Piece B.

Facilities on the Reserve

Council does not have any plans for additional community facilities on the Reserve and the Reserve is not included in council's long term plans to provide open space.

There are a greater range of facilities for the community on the nearby Spinnaker Circuit Reserve – West which includes play equipment and a sheltered picnic table and seat.

Disposal of Land and Assets Policy.

If the Reserve is sold to an adjoining owner, unless Council resolves otherwise, a minimum of two independent valuations must be obtained to ensure that the appropriate market value is obtained. The independent valuations must not be made than six months prior to disposal.

Contamination Investigations

Contamination investigations have been undertaken to determine any future potential liability that may remain with Council as a result of any site contamination. The findings from the investigations have concluded that -

> "*Recently imported fill material was encountered in the northern portion of site and generally comprised a mixture of gravels and sands*."
>
> "*Therefore, it is concluded that the soils at the site are unlikely to pose an unacceptable risk to future users of the site in the context of the proposed land use (residential).*"
>
> "*Based on the findings of the historical review and the limited soil investigation, Greencap considers that generally there is a low likelihood of significant contamination at the site that might pose an unacceptable risk to human health or the environment in terms of the proposed residential land use.*
>
> *If surface and near surface soils are to be removed from the site, formal classification of soils would be required for appropriate offsite disposal. Greencap can assist with soil classification services.*"

Alternative Option Based on Community Feedback

It is recommended that Council progresses with the Community Land revocation process over either the whole of the Reserve, or only over Piece A, and writes to the Minister for Local Government requesting the Minister to consent to the revocation of the classification as Community Land.

Based on the feedback received, particularly from those community members living within 400m of the reserve, Council may wish to consider proceeding with the revocation of the Community Land Classification over Piece A, and selling to the school (subject to Ministerial consent) and retaining Piece B. Alternative potential wording has been included in Attachment 5.

ATTACHMENTS

1. Attachment 1 - Map of Reserve [**11.9.1** - 1 page]
2. Attachment 2 - Community Engagement Report [**11.9.2** - 93 pages]
3. Attachment 3 Summary of Council Resolutions [**11.9.3** - 2 pages]
4. Attachment 4 - Map - Location of Respondents [**11.9.4** - 1 page]
5. Attachment 5 - Potential Alternative Resolution Wording [**11.9.5** - 1 page]

PLAN OF RESERVE

Indicative Plan showing Piece A & Piece B of Spinnaker Circuit Reserve East



Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

Community consultation was undertaken between 30 September 2021 and 29 October 2021 and has now concluded.

WHAT IS BEING PROPOSED?

Spinnaker Circuit Reserve East, Sheidow Park (the Reserve) is adjacent St Martin de Porres School (the School), Sheidow Park.

The School has approached Council and shown an interest in using the space as additional parking and potentially for other purposes such as a sealed court area, a garden or a play area.

Public consultation was previously undertaken in November 2019 to understand the community's vision for Spinnaker Circuit Reserve East, Sheidow Park. The submissions received were detailed in GC181219R03.

From 13 August 2020 to 3 September 2020, public consultation for the revocation of the community land classification was undertaken from 13 August 2020 to 3 September 2020 in accordance with Section 194 of the Local Government Act 1999 and Council's Community Consultation Policy. A request for approval was submitted to the Minister for Planning, however, the request was declined on the basis that in their view, the Section 194 Report did not clearly give a summary of the reasons for the proposal, Council's intention upon revocation or the potential impact on the community.

On 27 July 2021 (GC210727R11.3) Council:

1. Acknowledges the determination by the Minister for Planning and Local Government dated 23 June 2021;
2. Confirms its intention is to sell the portion of the reserve indicated as 'Piece A' in Attachment 3 to St Martins De Porres School by negotiation, at or close to market value (based on assumed residential zoning value), subject to the outcome of the revocation process;
3. Confirms its intention is to sell the portion of the reserve indicated as 'Piece B' in Attachment 3 on the open market in a manner to achieve maximum net financial return to Council, subject to the outcome of the revocation process;
4. Endorses the Report for Consultation titled 'Section 194 Report for Consultation – Spinnaker Circuit Reserve' contained in Attachment 1 and resolves that it be subject to a period of Community Engagement, in accordance with Section 194(2)(b) of the Local Government Act 1999 and Council's Community Engagement Policy;
5. Authorises the 'Chief Executive Officer' or his nominee, to make minor variations to the Report for Public Consultation prior to the commencement of Community Engagement;
6. Require a Community Engagement Plan to be prepared and referred to the Ward Councillors and Mayor for review prior to the commencement of the consultation period, community consultation to include mail out to residents within a 400 metre radius of the reserve, excluding the area to the west of Lonsdale Road;
7. Confirms that should the revocation of community land classification and sale proceed, that net sale proceeds will be paid into the Open Space Reserve Fund for the development of Open Space for the benefit of the community, as approved by Council.
8. Requires a further report to be presented for consideration by Council following conclusion of the public consultation under Section 194(2)(b) of the Local Government

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

Act 1999 for the potential revocation of community land classification of the whole of the land known as Spinnaker Circuit Reserve East, Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546 Folio 484 to enable Council to determine if the revocation and disposal process should proceed.

Further public consultation was undertaken from 30 September 2021 to 29 October 2021 for the revocation of the Community Land Classification as per Council's resolutions made on 27 July 2021 (GC210727R11.3).

The disposal of any community land is subject to Ministerial approval. All feedback as a result of the community consultation is considered by the Minister when making a decision about revoking the community land classification. If sold, the proceeds would be paid into the Open Space Reserve Fund for the development of open space as approved by Council. Alternatively, Council may resolve that the funds are to be used for the development of a particular reserve or reserves in the surrounding area.

HOW WE ENGAGED:

The Community Engagement Plan was distributed to the Mayor and the Ward Councillors for comment prior to commencement of the Community Consultation.

The level of support of the proposal to sell the Reserve was sought via:

- Talking points were created for Elected Members
- A direct mail out which included a flyer and the Section 194 Report, to 300 residents within a 400m radius of the Reserve (excluding west of Lonsdale Highway)
- A letter to Statutory Authorities
- Publication of notices in the Government Gazette and The Advertiser.
- More information was available at:
    - Council's Administration Centre, 24 Sturt Road, Sturt
    - Council's City Services building, 935 Marion Road Mitchell Park
    - Libraries at the Cove civic Centre, Marion Cultural Centre and Park Holme
    - Visiting the Making Marion website www.makingmarion.com.au/spinnaker-circuit-reserve-revocation

The engagement asked people to indicate their level of support of the proposal:

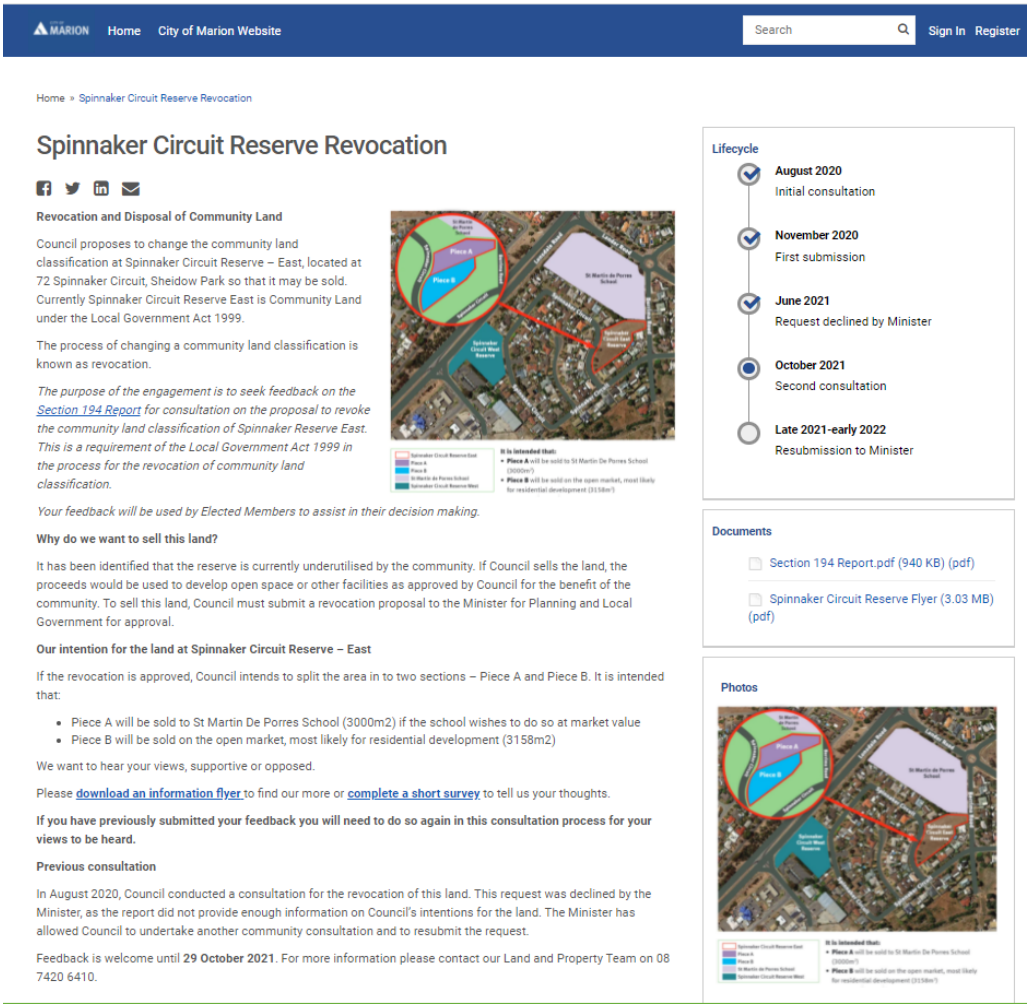
- To revoke the Community Land classification of Spinnaker Circuit Reserve East
- To sell Piece A to St Martin De Porres School
- To sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to council
- For a pathway linking Berrima Road and Spinnaker Circuit

Signs were placed on both the Spinnaker Circuit and Berrima Road street frontages.

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

CITY OF MARION

Example of website



MARION Home City of Marion Website Search Sign In Register

Home » Spinnaker Circuit Reserve Revocation

Spinnaker Circuit Reserve Revocation

Revocation and Disposal of Community Land

Council proposes to change the community land classification at Spinnaker Circuit Reserve – East, located at 72 Spinnaker Circuit, Sheidow Park so that it may be sold. Currently Spinnaker Circuit Reserve East is Community Land under the Local Government Act 1999.

The process of changing a community land classification is known as revocation.

The purpose of the engagement is to seek feedback on the Section 194 Report for consultation on the proposal to revoke the community land classification of Spinnaker Reserve East. This is a requirement of the Local Government Act 1999 in the process for the revocation of community land classification.

Your feedback will be used by Elected Members to assist in their decision making.

Why do we want to sell this land?

It has been identified that the reserve is currently underutilised by the community. If Council sells the land, the proceeds would be used to develop open space or other facilities as approved by Council for the benefit of the community. To sell this land, Council must submit a revocation proposal to the Minister for Planning and Local Government for approval.

Our intention for the land at Spinnaker Circuit Reserve – East

If the revocation is approved, Council intends to split the area in to two sections – Piece A and Piece B. It is intended that:

- Piece A will be sold to St Martin De Porres School (3000m2) if the school wishes to do so at market value
- Piece B will be sold on the open market, most likely for residential development (3158m2)

We want to hear your views, supportive or opposed.

Please download an information flyer to find our more or complete a short survey to tell us your thoughts.

If you have previously submitted your feedback you will need to do so again in this consultation process for your views to be heard.

Previous consultation

In August 2020, Council conducted a consultation for the revocation of this land. This request was declined by the Minister, as the report did not provide enough information on Council's intentions for the land. The Minister has allowed Council to undertake another community consultation and to resubmit the request.

Feedback is welcome until **29 October 2021**. For more information please contact our Land and Property Team on 08 7420 6410.

Lifecycle

- **August 2020** Initial consultation
- **November 2020** First submission
- **June 2021** Request declined by Minister
- **October 2021** Second consultation
- **Late 2021-early 2022** Resubmission to Minister

Documents

- Section 194 Report.pdf (940 KB) (pdf)
- Spinnaker Circuit Reserve Flyer (3.03 MB) (pdf)

Photos

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

CITY OF MARION

Example of the Flyer and Hard Copy Survey

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Share your feedback

Dear Resident,

Council proposes to revoke the community land classification at Spinnaker Circuit Reserve – East, located at 72 Spinnaker Circuit, Sheidow Park so that it may be sold. Currently Spinnaker Circuit Reserve East is Community Land under the Local Government Act 1999. The process of revoking a community land classification is known as revocation.

Why do we want to sell this land?
It has been identified that the reserve is currently underutilised by the community. If Council sells the land, the proceeds would be used to develop open space or other facilities as approved by Council for the benefit of the community.
To sell this land, Council must submit a revocation proposal to the Minister for Planning and Local Government for approval.

Our intention for the land at Spinnaker Circuit Reserve – East
If the revocation is approved, Council intends to split the area in to two sections – Piece A and Piece B. It is intended that:

- Piece A will be sold to St Martin De Porres School (3000m²) if the school wishes to purchase it at market value
- Piece B will be sold on the open market, most likely for residential development (3158m²)

Previous consultation
In August 2020, Council conducted a consultation for the revocation of this land. This request was declined by the Minister, as the report did not provide enough information on Council's intentions for the land. The Minister has allowed Council to undertake another community consultation and to resubmit the request.

This flyer provides further details on Council's intentions for the land, and Council invites you to provide your feedback.

We want to hear your views, supportive or opposed.
If you have previously submitted your feedback you will need to do so again in this consultation process for your views to be heard.

Please visit the Making Marion website to access the following supporting documents:

- Section 194 Report for Consultation – a report setting out the details of the reserve and reasons for the proposed revocation
- Certificate of Title – Volume 5546 Folio 484

Further information is available from the Making Marion website or visit:

- Council's Administration Centre, 245 Sturt Road, Sturt
- Council's City Services building, 935 Marion Road, Mitchell Park
- Libraries at the Cove Civic Centre, Marion Cultural Centre and Park Holme

Feedback must be lodged on the Making Marion website by 29 October 2021 or made in writing to the City of Marion at PO Box 21 Oaklands Park SA 5047

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation
For more information:
Please contact Council's Land and Property Team on 08 7420 6410.

Yours faithfully,

Tony Harrison
Chief Executive Officer

Detailed map is on the back of this flyer

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

CITY OF MARION

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Timeline

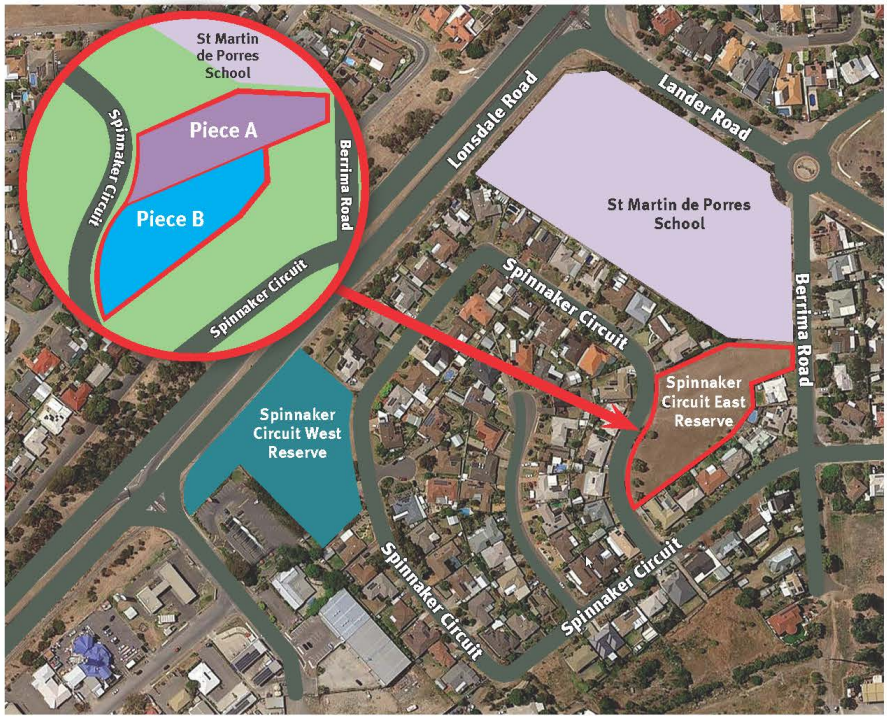
August 2020
first consultation

November 2020
first submission

June 2021
request declined by Minister

September 2021
new consultation

Late 2021-early 2022
resubmission to Minister



- Spinnaker Circuit Reserve East
- Piece A
- Piece B
- St Martin de Porres School
- Spinnaker Circuit Reserve West

It is intended that:

- **Piece A** will be sold to St Martin De Porres School (3000m²)
- **Piece B** will be sold on the open market, most likely for residential development (3158m²)

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

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Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

1. Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☐ Strongly support

Tell us why

2. Do you support the proposal to:

a. Sell Piece A to St Martin De Porres School

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☐ Strongly support

Tell us why

b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☐ Strongly support

Tell us why

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

CITY OF MARION

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

3. Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?
(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☐ Strongly support

Tell us why

4. Please tell us your name?

5. Please tell us your email address

6. What suburb do you live in?

7. Please tell us which street you live on?

8. Do you have any other feedback?

9. How satisfied are you with this survey?
Satisfied | Dissatisfied | Neutral

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

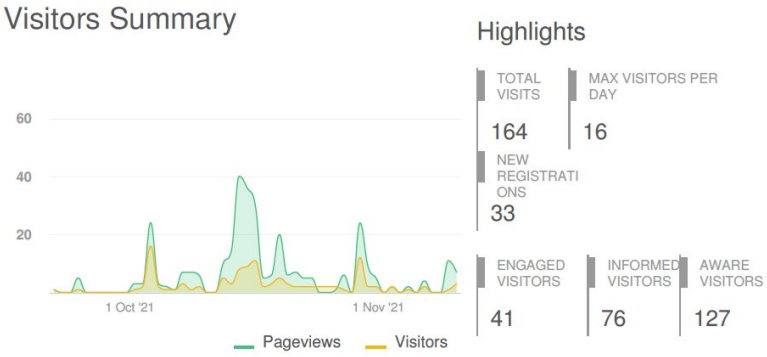
Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

The engagement asked people to indicate their level of support to the proposals for the Reserve via a survey tool.

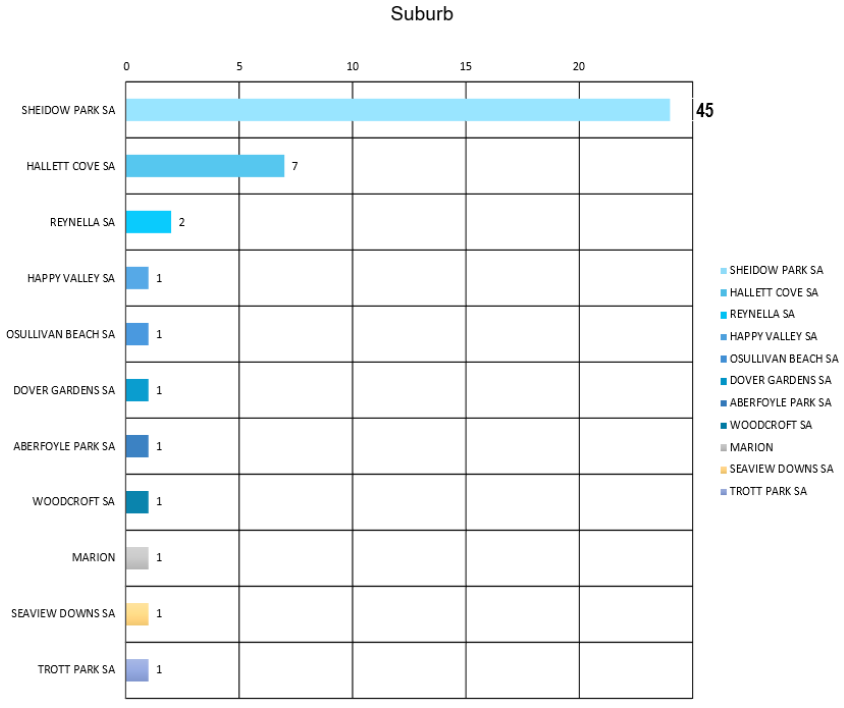
COMMUNITY FEEDBACK STATISTICS

The consultation via Making Marion was viewed by 164 people.

- *A total of 76 informed participants making 40 survey submissions online (one recorded submission was a test)*
- *The relevant documents were downloaded 17 times*
- *21 hard copy submissions were received*



The graph below shows the suburbs that the respondents live in.

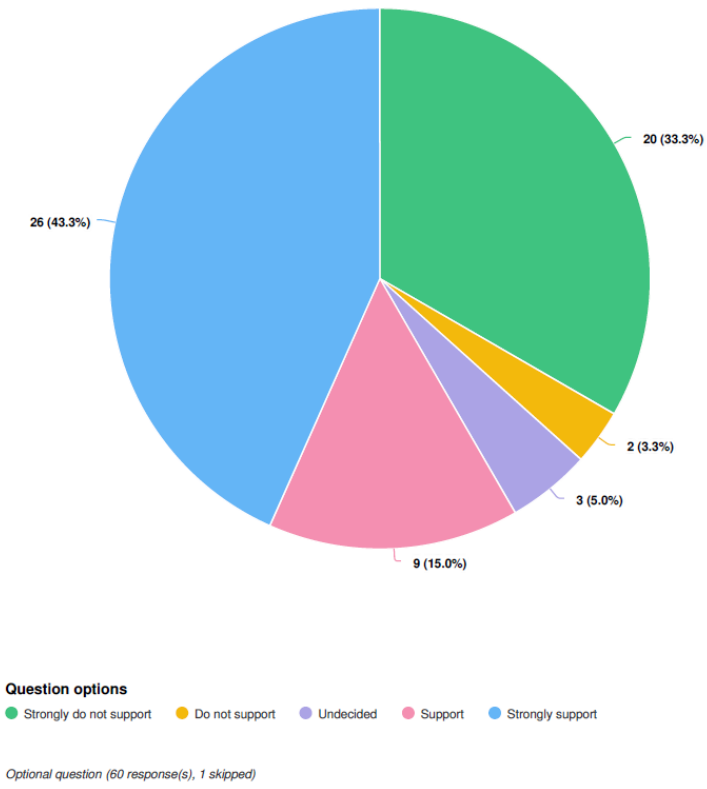


Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

Two submissions were received after the conclusion of the community engagement period and have not been included in the statistics contained in this report. A copy of the submissions are attached (Attachment 4).

COMMUNITY FEEDBACK

We asked people to indicate their level of support of the proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East:



Strongly support

26 (43.3%) of all respondents strongly support the proposal

Of those who strongly support the proposal

7 (26.9%) respondents live within a 400 metre radius
19 (73.1%) respondents live outside a 400 metre radius

General commentary included –

- I live in Spinnaker Circuit and the reserve is an eyesore. My kids go to St Martins so the car park is required to help the traffic build up and actually allows parents to park and go in to support their children at drop off and pick up.
- There are other far more utilised reserves and playgrounds in this suburb, so this one will not be missed.
- Development of the land will increase the value and make the street more attractive for investors. Please ensure land is divided correctly and no high rise complex

Support

9 (15%) of all respondents support the proposal

Of those who support the proposal -

7 (77.7%) respondents live within a 400 metre radius
2 (22.2%) respondents live outside a 400 metre radius

General commentary included –

- I do not support the sale of community land to private developers, and do not support the proposal in it's current form. I would support the sale of land (Piece A) to the school, however.
- This land has not been used for recreation. It has been unused since the area was established.
- Fortunately doesn't seem to change my circumstances

Undecided

3 (5%) of all respondents are undecided about the proposal

Of those who are undecided about the proposal -

2 (66.7%) respondents live within a 400 metre radius
1 (33.3%) respondents live outside a 400 metre radius

General commentary included –

- This land was set aside to meet with land use regulations, in doing so all residents paid for it when buying land.
  The only reason the land is "under utilised" is because the Council has not spent any money to develop it in any way. Why should the Council now benefit from their lack of support? There will be extra income from the rates of the proposed sale of part B.
  The sale money should be rightly distributed back the local residents as it is their original contribution that paid for it, whereas the council only cut the grass each year.

Do not support

2 (3.3%) of all respondents do not support the proposal

Of those who do not support the proposal -

2 (100%) respondents live within a 400 metre radius

General commentary included –

- Research shows more green space benefits health, well being and environment. The area is already quite densly built with diminishing natural spaces and greenery.

Strongly do not support

20 (33.3%) of all respondents strongly do not support the proposal

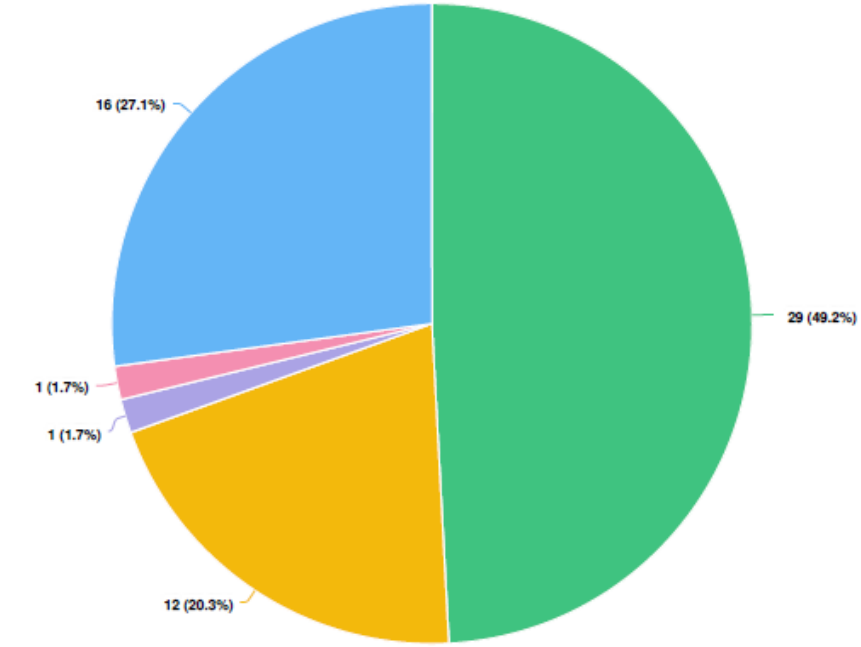
Of those that strongly do not support the proposal –
20 (100%) respondents live within a 400 metre radius
0 respondent lives outside a 400 metre radius

General commentary included –

- One of the attractions of Sheidow Park and in particular the area around Spinnaker Circuit has always been the open space. I have lived in this area for over 30 years and its a quiet, peaceful area. There isnt a high volume of traffic as it is generally only residence that enter the area.
- Your Flyer tells us the reserve is under utilised by the community, this is because you, Marion Council have allowed this. I have lived on Berrima Road for 11 Years, nothing has ever been done to utilise the reserve. I have previously sent you feedback in the past concerning this. Marion Council tells us you are about sustainability and preserving the natural environment, this proposal definitely does not do that.
  Improving the land does not mean building on it, you are not considering local residents.
  Preserve the reserve. Give us a public green space for us all to enjoy.
- It should remain community land council had nothing to do with it until School started utilising for carpark

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

We asked people to indicate their level of support of the proposal to sell Piece A to St Martin De Porres School



Question options

Strongly support Support Undecided Do not support Strongly do not support

Optional question (59 response(s), 2 skipped)

Question type: Radio Button Question

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

Strongly support

29 (49.2%) of all respondents strongly support the proposal

Of those who strongly support the proposal

22 (75.8%) respondents live within a 400 metre radius
7 (24.2%) respondents live outside a 400 metre radius

General commentary included –

- Being a carpark, I can take my kids there on the weekend to ride their bikes so it is more useful as a car park then a dirt, weed infested waste of space.
- Will help with the congestion of traffic if they continue to use it as a car park
- The safety of children is paramount. Currently the existing carpark is inadequate for their needs as the school has grown substantially in enrolments. A designated carpark is preferable to loads of street parking which I imagine would upset residents.

Support

12 (20.3%) of all respondents support the proposal

Of those who support the proposal -

11 (91.7%) respondents live within a 400 metre radius
1 (8.3%) respondents live outside a 400 metre radius

General commentary included –

- If a carpark is to be constructed we would prefer it to be bitumen rather that dirt.
- As mentioned in the 194 and previous reports, the land is underutilised in it's current form. The school taking ownership of part of this land would increase it's usability and profile. I do not think it appropriate to sell the adjoining land to private housing developers.
- Using the area as a car park has eased congestin

Undecided

1 (1.7%) of all respondents are undecided about the proposal

That one respondent lives within a 400 metre radius

General commentary included –

- This land was set aside to meet with land use regulations, in doing so all residents paid for it when buying land.
  The only reason the the land is "under utilised" is because the Council has not spent any money to develop it in any way. Why should the Council now benefit from their lack of support? There will be extra income from the rates of the proposed sale of part B.
  The sale money should be rightly distributed back the the local residents as it is their original contribution that paid for it, whereas the council only cut the grass each year.

Do not support

1 (1.7%) of all respondents do not support the proposal

Of those who do not support the proposal -

That one respondent lives within a 400 metre radius

General commentary included –

- As a homeowner and resident of Spinnaker Circuit, it is already a challenge to come in or go out during school pick up and drop off times. There is a fear that the space will be used for drop/pick up which will increase traffic and congestion in the area.

Strongly do not support

16 (27.1%) of all respondents strongly do not support the proposal

Of those that strongly do not support the proposal –
15 (93.7%) respondents live within a 400 metre radius
1 (6.3%) respondent is unclear about their location

General commentary included –

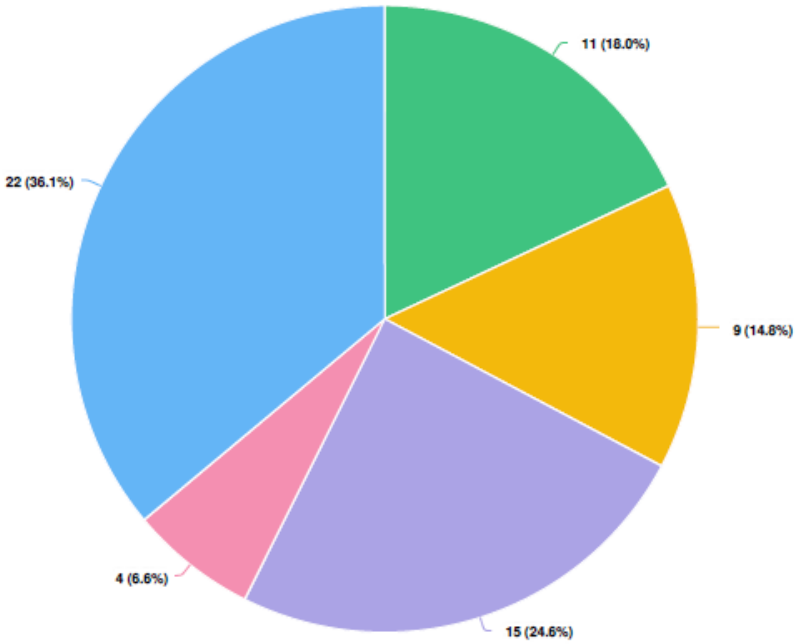
- The School has mismanaged their current "temporary lease" of the area. It now generates clouds of additional dust that blows into neighbouring houses, reflects extra heat in summer & causes drainage problems in winter, and is an eyesore. The School has essentially turned it into a dustbowl that affects all the neighbouring houses, seemingly for the purpose of convenient parking for less than an hour per day.

- ABSOLUTELY DO NOT SUPPORT! The horrendous traffic is worse than ever. This private institution should provide car parking on its own land, and not block access to all houses in Spinnaker circuit and Berrima Road. Who are the Council officers who have agreed with this school to do this? Do they have a personal involvement with the school? ie do they have children attending this school?

- There is plenty of parking in surrounding streets. The current reserve parking has done nothing to alleviate queuing in Werlinga and Berrimah Roads as parents are too lazy to park and walk their kids a few 100 metres. Making the car park permanent won't change this

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

We asked people to indicate their level of support of the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council



Question options

Strongly support | Support | Undecided | Do not support | Strongly do not support

Optional question (61 response(s), 0 skipped)

Strongly support

11 (18%) of all respondents strongly support the proposal

Of those who strongly support the proposal

6 (54.5%) respondents live within a 400 metre radius
5 (45.5%) respondents live outside a 400 metre radius

General commentary included –

- It is currently not used
- There is already enough traffic around Spinnaker Circuit and surrounding streets especially around school times. Additional housing will only increase traffic
- But conditional to residential only (not commercial) (not high rise)

Support

9 (14.8%) of all respondents support the proposal

Of those who support the proposal -

5 (55.5%) respondents live within a 400 metre radius
4 (44.5%) respondents live outside a 400 metre radius

General commentary included –

- This provides opportunity for more housing in the area
- Lovely area for young families to move into - close to schools
- Provided not high density housing! This will not fit with the current area and devalue current house prices

Undecided

15 (24.6%) of all respondents are undecided about the proposal

7 (46.7%) respondents live within a 400 metre radius
8 (53.3%) respondents live outside a 400 metre radius

General commentary included –

- More houses mean more traffic and that is the main issue the area is already having. leaving a bit of 'green' area would make the residents who want to keep the reserve happy. A happy medium.
- It is good for the council's revenue. Don't know what it will have for the current residents
- The land shape and levels are 'awkward'. I feel adding housing would create issues for those residents.

Do not support

4 (6.6%) of all respondents do not support the proposal

Of those who do not support the proposal -

2 (50%) respondents live within a 400 metre radius
2 (50%) respondents live outside a 400 metre radius

General commentary included –

- Due to the already limited open space areas in our part of the city of Marion which are not bio diversity or national park we should keep them for community use and not leave them in there current state or dis repair to encourage residents to use them and promote a green active city
- There is already too much traffic in the area with cars parked on both sides of the road in that section. It would also devalue local property. If there is a need to sell land for more housing, consider some of the land in Spinnaker Circuit West Reserve, adjacent to Hungry Jacks

Strongly do not support

22 (36.1%) of all respondents strongly do not support the proposal

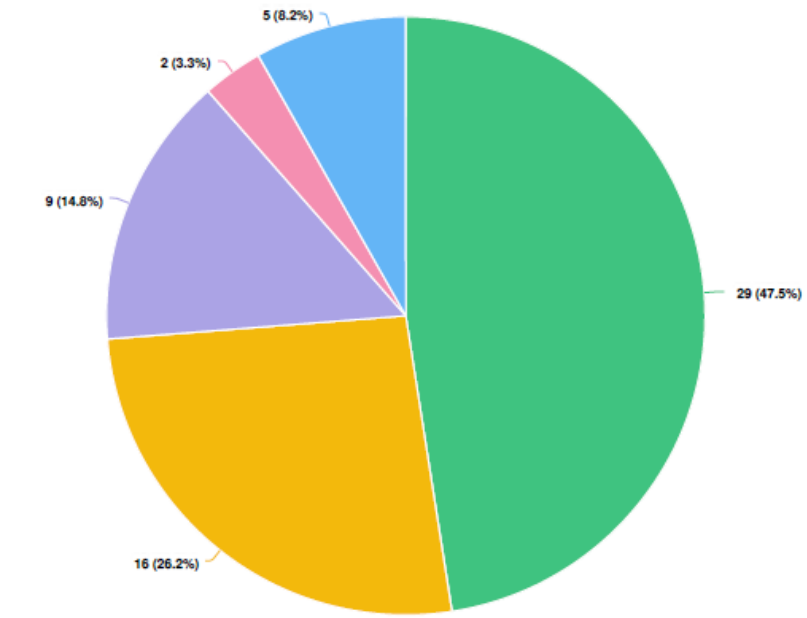
Of those that strongly do not support the proposal –
18 (81.8%) respondents live within a 400 metre radius
4 (18.2%) respondent is unclear about their location

General commentary included –

- Would rather see it revegetated.
- What makes the council think that introducing further traffic will make life better! It's a green space and makes the council appear to be not in consideration of the traffic issue already causing problems.
- I think the land would be better fr the school, in the future.

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

We asked people to indicate whether they would like to see a pathway linking Berrima Road and Spinnaker Circuit



Question options

Strongly support Support Undecided Do not support Strongly do not support

Optional question (61 response(s), 0 skipped)

Strongly support

29 (47.5%) of all respondents support the proposal

Of those who support the proposal -

19 (65.5%) respondents live within a 400 metre radius
10 (34.5%) respondents live outside a 400 metre radius

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

CITY OF MARION

General commentary included –

- We walk through the space daily - having a pathway would be great.
- The reserve is a big part with walking my dogs.
- Really useful especially for parents walking their children to school. Personally I often use this as a short cut when I am out walking

Support

16 (26.2%) of all respondents support the proposal

Of those who support the proposal -

6 (37.5%) respondents live within a 400 metre radius
10 (62.5%) respondents live outside a 400 metre radius

General commentary included –

- Walk through to Church
- As a resident easy access is important to the school with a child attending from 2022

Undecided

9 (14.8%) of all respondents are undecided about the proposal

6 (66.7%) respondents live within a 400 metre radius
3 (33.3%) respondents live outside a 400 metre radius

General commentary included –

- The renovation of the school was an upheavel for residents traffic - parking - access and XXXX not supportive of more redevelopment.
- Leave the reserve as is, make it an open space, park for kids, leave some open spaces for our area.

Do not support

2 (3.3%) of all respondents do not support the proposal

Both respondents live within a 400 metre radius

General commentary included –

- Could spend money elsewhere. Bit of a waste.
- If the school uses the area for car parking a access will be provided

Spinnaker Circuit Reserve East – Community Land Revocation
Community Engagement Outcomes – October 2021

Strongly do not support

5 (8.2%) of all respondents strongly do not support the proposal

All respondents live within a 400 metre radius

General commentary included –

- The lack of a pathway acts as a natural deterrent from increasing traffic. Please save the reserve!
- No. A pathway would only be necessary if the reserve is sold. Leave it as a reserve and no path would be needed. The school have shown no regard for the surrounding residents. School, Council and residents should be working together and all points of view need to be heard and considered. Its really feeling like those of us who live here don't matter. The last survey was rigged by the school handing out surveys to parents who don't live here and will obviously vote in favour of the proposal. How do we know the same won't happen again? People who don't live here don't understand or care about the impact on local residents.

A full summary of all comments received is provided as Attachment 5.

Attachment 1 – Summary of responses within 400m radius

Attachment 2 – Summary of responses outside 400m radius

Attachment 3 – Summary of all responses

Attachment 4 – Late submissions

Attachment 5 – A summary of all comments received

LEVEL OF SUPPORT FOR EACH PROPOSAL FOR RESPONDENTS WITHIN A 400 METRE RADIUS OF THE RESERVE
38 of the 61 RESPONDENTS LIVE WITHIN THIS RADIUS

	Q1: Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve?		Q2: Do you support the proposal to: a. Sell piece A to St Martin De Porres School?		Q3: Do you support the proposal to: b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council?		Q4: Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?	
	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38	Number of respondents	Percentage of 38
Strongly Support	7	18.4	7	18.4	6	15.7	19	50.0
Support	7	18.4	11	29.0	5	13.2	6	15.8
Undecided	2	5.3	1	2.6	7	18.4	6	15.8
Do not Support	2	5.3	1	2.6	2	5.3	2	5.3
Strongly do not Support	20	52.6	16	42.1	18	47.4	5	13.1
Respondents who did not answer this question	0	0	2	5.3	0	0	0	0

LEVEL OF SUPPORT FOR EACH PROPOSAL FOR RESPONDENTS OUTSIDE A 400 METRE RADIUS OF THE RESERVE
23 of the 61 RESPONDENTS LIVE OUTSIDE THIS RADIUS

	Q1: Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve?		Q2: Do you support the proposal to: a. Sell piece A to St Martin De Porres School?		Q3: Do you support the proposal to: b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council?		Q4: Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?	
	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23	Number of respondents	Percentage of 23
Strongly Support	19	82.6	22	95.7	5	21.7	10	43.5
Support	2	8.7	1	4.3	4	17.4	10	43.5
Undecided	1	4.3	0	0	8	34.8	3	13.0
Do not Support	0	0	0	0	2	8.7	0	0
Strongly do not Support	0	0	0	0	4	17.4	0	0
Respondents who did not answer this question	1	4.4	0	0	0	0	0	0

LEVEL OF SUPPORT FOR EACH PROPOSAL FOR ALL RESPONDENTS
61 RESPONSES RECEIVED

	Q1: Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve?		Q2: Do you support the proposal to: a. Sell piece A to St Martin De Porres School?		Q3: Do you support the proposal to: b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council?		Q4: Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?	
	Number of respondents	Percentage of 61	Number of respondents	Percentage of 61	Number of respondents	Percentage of 61	Number of respondents	Percentage of 61
Strongly Support – Within 400m	7	11.5	7	11.5	6	9.9	19	31.2
Strongly Support - Outside 400m	19	31.1	22	36.0	5	8.1	10	16.4
Support – within 400m	7	11.4	11	18.0	5	8.1	6	9.8
Support – outside 400m	2	3.3	1	1.7	4	6.6	10	16.4
Undecided – within 400m	2	3.3	1	1.7	7	11.5	6	9.8
Undecided – outside 400m	1	1.7	0	0	8	13.1	3	4.9
Do not Support – within 400m	2	3.3	1	1.7	2	3.3	2	3.3
Do not Support – outside 400m	0	0	0	0	2	3.3	0	0
Strongly do not Support – within 400m	20	32.8	16	26.1	18	29.5	5	8.2
Strongly do not Support – outside 400m	0	0	0	0	4	6.6	0	0
Respondents who did not answer this question – within 400m	0	0	2	3.3	0	0	0	0
Respondents who did not answer this question – outside 400m	1	1.6	0	0	0	0	0	0

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

1. Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?

(Choose any one option)

☐ Strongly do not support
☐ Do not support
☐ Undecided
☐ Support
☑ Strongly support

Tell us why It is basically a giant weed patch which Council is required to waste money on to maintain it.

2. Do you support the proposal to:

a. Sell Piece A to St Martin De Porres School

(Choose any one option)

☐ Strongly do not support
☐ Do not support
☐ Undecided
☐ Support
☑ Strongly support

Tell us why It is the smartest option.

b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council

(Choose any one option)

☒ Strongly do not support
☐ Do not support
☐ Undecided
☐ Support
☐ Strongly support

Tell us why That would be commercially unviable. The infrastructure costs for 3-4 houses would be prohibitive. Sell A & B to St Martin de Porres.

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

3. Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☑ Strongly support

Tell us why

~~I use it~~ It would make a useable walking shortcut to get to the Commercial Road businesses.

4. Please tell us your name?

5. Please tell us your email address

6. What suburb do you live in? SHEIDOW PARK

7. Please tell us which street you live on? Werlinga Road.

8. Do you have any other feedback?

Only that this should have been done years ago. A smart move... finally.

9. How satisfied are you with this survey?

Satisfied | Dissatisfied | Neutral

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

1. Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☑ Support
- ☐ Strongly support

Tell us why

CAR PARKING IS STILL SO IMPORTANT HERE.
THE WORK DONE ON BERRIMA ROAD HAS NOT DONE ANYTHING TO STEM THE FLOW OF BLOCKING OF THE STREET DURING SCHOOL TIMES, IF ANYTHING ITS MADE IT WORSE.

2. Do you support the proposal to:

a. Sell Piece A to St Martin De Porres School

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☐ Support
- ☑ Strongly support

Tell us why

FOR CAR PARKING ONLY.

b. Sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council

(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☐ Undecided
- ☑ Support
- ☐ Strongly support

Tell us why

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

Spinnaker Circuit Reserve – East
Sheidow Park

CITY OF MARION

Spinnaker Survey

3. Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?
(Choose any one option)

- ☐ Strongly do not support
- ☐ Do not support
- ☑ Undecided
- ☐ Support
- ☐ Strongly support

Tell us why
DON'T CAIRE

4. Please tell us your name?

5. Please tell us your email address

6. What suburb do you live in?
SHEIDOW PARK

7. Please tell us which street you live on?
BERRIMA ROAD

8. Do you have any other feedback?
THE WORK DONE ON BERRIMA ROAD DID NOTHING TO STOP SCHOOL MUMS FROM BLOCKING THE ROAD DURING SCHOOL TIMES. VERY DISATISFIED.

FIX THE BLOCKING OF BERRIMA RD DURING SCHOOL DROP OFF + PICK UPS !!!

9. How satisfied are you with this survey?
Satisfied | (Dissatisfied) | Neutral

COUNCIL WILL DO WHATEVER THEY WANT ANYWAY. THIS SURVEY IS SOMETHING THAT YOU DO BECAUSE YOU'VE GOT TO BE SEEN TO BE DOING THE RIGHT THING. COUNCIL WILL DO WHAT THEY WANT ANYWAY WASTE OF BLOODY TIME!!

Visit makingmarion.com.au/spinnaker-circuit-reserve-revocation

APPENDIX

Survey Responses

30 August 2011 - 09 November 2021

Spinnaker Survey

Making Marion

Project: Spinnaker Circuit Reserve Revocation

BANG THE TABLE engagementHQ

VISITORS					
81					
CONTRIBUTORS			RESPONSES		
41			63		
41 Registered	0 Unverified	0 Anonymous	63 Registered	0 Unverified	0 Anonymous



Respondent No: 1
Login: Resident10
Email: [redacted]
om

Responded At: Oct 02, 2021 06:56:18 am
Last Seen: Oct 01, 2021 21:16:32 pm
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

One of the attractions of Sheidow Park and in particular the area around Spinnaker Circuit has always been the open space. I have lived in this area for over 30 years and its a quiet, peaceful area. There isnt a high volume of traffic as it is generally only residence that enter the area.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

St Martins is expanding at a rate that this small area cannot handle. The traffic that the school brings into the streets in the mornings, afternoons and Sundays is considerable and makes the streets surrounding the school unsafe. Providing them with more land and with access via Spinnaker Circuit will bring yet more traffic into that area. If the school has outgrown its current space, then perhaps they need to be looking for an alternative location where they will have the space they need to expand, but not at the detriment of the local residence surrounding Spinnaker Circuit.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

Blocks of land these days are sold off as such small lots so can only assume that in the space you are talking about it would be a considerable amount of homes placed into quite a small area. Plus if it goes onto the open market (likely for residential development) it could end up something other than residential development as I am assuming there is no guarantee it will only be for housing.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly do not support

Q8. **Which street do you live on?** Leeward Court

Q9. **How satisfied are you with this survey?** Unhappy

Q10. **Any additional comments.**

not answered



Respondent No: 2
Login: [redacted]
Email: [redacted]

Responded At: Oct 02, 2021 09:55:27 am
Last Seen: Oct 01, 2021 23:49:09 pm
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

The council allowed for an expansion of the Private School without allowance for parking and now wants to sell off community land to fix their mistake. Spinnaker Cct is busy enough without more houses and cars. The side of Landers Rd should be used as parking and the queue for kiss and go for the Private School.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

We are constantly getting storm water runoff into our property because the council did not put storm water draining in the plan for the expansion of the Private School. I have no confidence in the councils ability to allow for building approvals and the sale of community land as they are unable to see the effect on the surrounding area.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

" to achieve maximum net financial return to Council " Are you serious? We pay council rates for a reason.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Cct

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 3
Login: [redacted]
Email: [redacted]

Responded At: Oct 07, 2021 21:47:19 pm
Last Seen: Oct 07, 2021 11:03:28 am
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Undecided

Q2. **Tell us why**

This land was set aside to meet with land use regulations, in doing so all residents paid for it when buying land. The only reason the the land is "under utilised" is because the Council has not spent any money to develop it in any way. Why should the Council now benefit from their lack of support? There will be extra income from the rates of the proposed sale of part B. The sale money should be rightly distributed back the the local residents as it is their original contribution that paid for it, whereas the council only cut the grass each year.

Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Undecided

Q4. **Tell us why**

See above answer

Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Undecided

Q6. **Tell us why**

See above answer

Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Strongly support
Q8.	**Which street do you live on?**	Spinnaker Circuit
Q9.	**How satisfied are you with this survey?**	Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 4
Login: [redacted]
Email: [redacted]

Responded At: Oct 08, 2021 11:18:03 am
Last Seen: Oct 08, 2021 00:37:17 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

when we built our house we were told by council the land would never ever be built on

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

the school should not have been extended as it was only meant to be a small school. not adding year 6 & 7 when other schools are going to a secondary school in year 7 therefor an extension should not have gone ahead

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

we are told the council wants the money to develop open space But they think taking our open space away from is the way to go I feel this is being greedy and the money is more important than our open space Our street is not wide enough for more houses as it is the school times the cars don't slow down coming around the corners

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Unhappy

Q10. **Any additional comments.**

not answered



Respondent No: 5
Login: [redacted]
Email: [redacted]

Responded At: Oct 11, 2021 11:12:50 am
Last Seen: Oct 11, 2021 00:35:12 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

Recent modifications and efforts to minimise school drop-off and pick-up traffic on Berrima Rd have made ZERO difference. The school needs a new system, NOT USELESS parallel parks. If by revoking Community Land classification leads to "St Martin De Road Block" buying the land and using it for pick-up and drop-off, GREAT!!

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

Recent modifications and efforts to minimise school drop-off and pick-up traffic on Berrima Rd have made ZERO difference. The school needs a new system, NOT USELESS parallel parks. If by revoking Community Land classification leads to "St Martin De Road Block" buying the land and using it for pick-up and drop-off, GREAT!! FREE UP BERRIMA RD!!

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

I don't care what happens to that land, as long as the school drop-off and pick-up issue is ACTUALLY FIXED!! FREE UP BERRIMA RD!! FFS!

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Leeward Ct

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 6
Login: marionresident[redacted]
Email: [redacted]

Responded At: Oct 13, 2021 09:31:06 am
Last Seen: Oct 12, 2021 22:56:55 pm
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

I live in Spinnaker Circuit and the reserve is an eyesore. My kids go to St Martins so the car park is required to help the traffic build up and actually allows parents to park and go in to support their children at drop off and pick up.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Being a carpark, I can take my kids there on the weekend to ride their bikes so it is more useful as a car park then a dirt, weed infested waste of space.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

More houses mean more traffic and that is the main issue the area is already having. leaving a bit of 'green' area would make the residents who want to keep the reserve happy. A happy medium.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 7
Login: Anonymous[redacted]
Email: [redacted]

Responded At: Oct 13, 2021 16:23:21 pm
Last Seen: Oct 13, 2021 05:51:16 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

It is not utilised

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

There is not enough parking at the school and it keeps the side streets more free.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

It is currently not used

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Simon court

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 8
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 16:23:21 pm
Last Seen: Oct 13, 2021 05:49:07 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

I support it as the land has been left bare.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Will help with the congestion of traffic if they continue to use it as a car park

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

I would prefer for the whole land to be sold to The school, so they could possibly turn the school into R-12 as we have no Catholic high school in the area.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Kiah crescent

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 9
Login: [redacted]
Email: [redacted]
com.au

Responded At: Oct 13, 2021 16:26:13 pm
Last Seen: Oct 13, 2021 05:53:40 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

It is not being used by council and was very dusty in summer and full of weeds in winter.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school is growing as the community grows.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Karyn Cres

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 10
Login: [redacted]
Email: [redacted]
m

Responded At: Oct 13, 2021 16:39:40 pm
Last Seen: Oct 13, 2021 06:04:01 am
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Strongly support
Q2.	**Tell us why**	
	It is unused space	
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4.	**Tell us why**	
	The school needs a car park. Residents aren't happy with us parking on the roads.	
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Strongly do not support
Q6.	**Tell us why**	
	Would rather see it revegetated.	
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Strongly support
Q8.	**Which street do you live on?**	Liston st
Q9.	**How satisfied are you with this survey?**	Neutral
Q10.	**Any additional comments.**	
	not answered	



Respondent No: 11
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 16:46:23 pm
Last Seen: Oct 13, 2021 06:12:33 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

The space is needed for the school community.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Education is an important part of life for our children, any way we can support & better this for the future is an asset to all in and around.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

I think the land would be better fr the school, in the future.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Safe walking option, if done correctly

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 12
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 17:04:09 pm
Last Seen: Oct 13, 2021 06:29:08 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

The land is not being used. It will be of great value to St Martins school if part is sold to them. Due to the expansion of the number of students at the school, traffic congestion has become an issue at pick up and drop off times. The use of the land will ease the burden of traffic congestion in the area

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

As above

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

The land is not being used and becomes muddy in winter and a dust bowl in summer. There is also plenty of other usable public space around.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Eurelia Rd

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 13
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 17:04:41 pm
Last Seen: Oct 13, 2021 06:33:10 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

My daughter attends St Martin de Porres and I would like to see the school benefit from the acquisition of the land.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

See comment above

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

The housing would be cramped and small

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Columbia crescent

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 14
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 18:16:27 pm
Last Seen: Oct 13, 2021 07:19:37 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

There are other far more utilised reserves and playgrounds in this suburb, so this one will not be missed.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The safety of children is paramount. Currently the existing carpark is inadequate for their needs as the school has grown substantially in enrolments. A designated carpark is preferable to loads of street parking which I imagine would upset residents.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Oakvale Way

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 15
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 18:19:19 pm
Last Seen: Oct 13, 2021 07:20:49 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

My children attend this school. Over the years we have parked in various streets. It was often very hard to get a park and the neighbours would often give you death stares if you parked out the front of their house. Parking 200-300 metres away and walking an infant and toddler up hills to collect their sibling from school was a very difficult task. Especially when you add 30-40 degree weather or rain. Not to mention Lander road does not have a school zone limit of 25...which is mind boggling because many kids have to cross the road...so dragging young kids in and out of the car, crossing roads with no speed restrictions, in sometimes terrible weather while copping death stares from neighbours has not been a pleasant experience. Whilst the school has a great kiss n go, I have not been able to use this service due to my children's ages and anxiety issues....so kiss n go doesnt work for everyone, especially for those with little ones. And while I'm here....the current practice of traffic management around the school has been great however, I strongly disagree with the school's instructions to parents to line up along Werlinga Rd curb side to turn up Berrima when there is space to do so. I understand they are trying to allow other road users free passage however this is just an accident waiting to happen. Cars passing you on your right hand side as you turn into Berrima is bound to cause an accident. Why does the council not paint a yellow 'no parking' line along the curb so residents can't park there (they dont usually anyway) and then put a slip lane in for those turning right onto Berrima. That will allow other road users to pass down the left hand side...as per our SA road rules. And again....why no 25km kids zone on Werlinga? I understand that residents on Spinnaker circuit dont want to lose the reserve. But they bought their house near a school knowing there would be an increase in traffic and kids and school bells. Also, I've lived in the southern suburbs all my life and that reserve has never been used for anything. Im sure all the neighbours that have given me death stares for parking in front of their houses appreciate the reserve is now being used for something constructive.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Please see above point 3.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

It has been an un-used block of land for years. There are plenty of other parks nearby. It should be used for something constructive.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?**	It will assist with traffic foot flow.
Q9. **How satisfied are you with this survey?**	Happy

Q10. **Any additional comments.**

not answered



Respondent No: 16
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 21:38:07 pm
Last Seen: Oct 13, 2021 10:56:28 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

Yes. Usage was a waste prior to current use. Land was just left unkempt before at least now it has a purpose for the community.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Its current usage assists with keeping school cars off the road thus less traffic on roads blocking driveways and upsetting the local community.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

Not sure: the school could do with more car parks to get more cars off the road as they increase their pupil numbers at the school. But also in current covid situ, more land availability to build locally would be good for people.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Mathoura Street

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 17
Login: [redacted]
Email: [redacted]

Responded At: Oct 13, 2021 23:31:06 pm
Last Seen: Oct 13, 2021 12:57:28 pm
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

This will assist students and parents st martins de porres school with safe parking and ease congestion. It will also provide residential opportunities on an otherwise unused piece of land.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

This will assist students and parents st martins de porres school with safe parking and ease congestion.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

This will provide residential opportunities on an otherwise unused piece of land and provide funding to upgrade other reserve facilities.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Hamilton Court

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

not answered



Respondent No: 18
Login: [redacted]
Email: [redacted]

Responded At: Oct 14, 2021 13:36:20 pm
Last Seen: Oct 14, 2021 03:04:46 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

It's a dead space full of weeds and only utilised by the school

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

They are growing and supporting the community

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

Why not sell as a whole

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Mckay

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 19
Login: [redacted]
Email: [redacted]

Responded At: Oct 15, 2021 17:51:55 pm
Last Seen: Oct 15, 2021 07:18:46 am
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Strongly support
Q2.	**Tell us why**	
	It's currently a dirt/mud bowl. Not used properly.	
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4.	**Tell us why**	
	I agree with expanding a good school in the area.	
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Undecided
Q6.	**Tell us why**	
	I'd prefer St Martin's to buy all of it.	
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Undecided
Q8.	**Which street do you live on?**	Gannet Crt
Q9.	**How satisfied are you with this survey?**	not answered
Q10.	**Any additional comments.**	
	not answered	



Respondent No: 20
Login: [redacted]
Email: [redacted]

Responded At: Oct 16, 2021 09:52:17 am
Last Seen: Oct 15, 2021 23:21:31 pm
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Strongly support
Q2.	**Tell us why**	not answered
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4.	**Tell us why**	not answered
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Do not support
Q6.	**Tell us why**	not answered
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Strongly support
Q8.	**Which street do you live on?**	Mariner Drive
Q9.	**How satisfied are you with this survey?**	Happy
Q10.	**Any additional comments.**	not answered



Respondent No: 21
Login: [redacted]
Email: [redacted]
m

Responded At: Oct 17, 2021 21:25:24 pm
Last Seen: Oct 17, 2021 10:52:01 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	not answered
Q2. **Tell us why**	
not answered	
Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4. **Tell us why**	
not answered	
Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Do not support
Q6. **Tell us why**	
not answered	
Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Support
Q8. **Which street do you live on?**	Parsee court
Q9. **How satisfied are you with this survey?**	Happy
Q10. **Any additional comments.**	
not answered	

Respondent No: 22
Login: [redacted]
Email: [redacted].au

Responded At: Oct 18, 2021 11:25:47 am
Last Seen: Oct 18, 2021 00:23:57 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

Your Flyer tells us the reserve is under utilised by the community, this is because you, Marion Council have allowed this. I have lived on Berrima Road for 11 Years, nothing has ever been done to utilise the reserve. I have previously sent you feedback in the past concerning this. Marion Council tells us you are about sustainability and preserving the natural environment, this proposal definitely does not do that. Improving the land does not mean building on it, you are not considering local residents. Preserve the reserve. Give us a public green space for us all to enjoy.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

Due to development and expansion to St Martin de Porres School, this has already caused major blocking and congestion to our area, we still have the heavy line up's during school hours. Selling the land to the school will allow for further expansion.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

This development could impact on privacy to my home, especially if 2 storey homes are built. I also have concerns regarding the effect that this could have on my solar power.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly do not support

Q8. **Which street do you live on?** [redacted] Berrima Road

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 23
Login: [redacted]
Email: [redacted]

Responded At: Oct 18, 2021 16:12:06 pm
Last Seen: Oct 18, 2021 05:38:54 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

Wasted space, not used as a reserve, would benefit the adjoining school

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school would use the space effectively

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

Houses are already on the street, few more would make no difference

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Horseshoe drive

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 24
Login: [redacted]
Email: [redacted]

Responded At: Oct 18, 2021 16:59:15 pm
Last Seen: Oct 18, 2021 06:07:58 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

When we purchased our home in 2000 the above reserve was classified as green space not a future car park or further housing. Our belief is that this green space was never to be built on. The school, I believe, is already leasing the land. They chain it off so residents are not able to park there to ease street parking issues.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

Using this land as a temporary car park has made accessing our property slightly easier as long as the families dropping/collecting children deem to respect that the residents on Spinnaker Circuit have rights of using our road. Many of the residents walk through the car park for access to buses on Adams Rd. Many of us also walk dogs through and find it extremely dangerous with the extra traffic. I have nearly been hit twice now with people exiting the carpark both on Spinnaker and the school on Berrimah.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

What makes the council think that introducing further traffic will make life better! It's a green space and makes the council appear to be not in consideration of the traffic issue already causing problems.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Spinnaker Cct. We have 2 reserves on Spinnaker. Both WERE used. East reserve is a nightmare with the cars. West is a lovely reserve except for the gravel path. It is also difficult to use when snakes come in spring and birds attack to protect their nests

Q9. **How satisfied are you with this survey?** Unhappy

Q10. **Any additional comments.**

not answered



Respondent No: 25
Login: [redacted]
Email: [redacted]

Responded At: Oct 19, 2021 13:33:24 pm
Last Seen: Oct 19, 2021 02:56:34 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

The land is under used and the traffic congestion is terrible around St Martin's De Porres.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school has grown exponentially and needs more car parking to ease local traffic congestion.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

The is currently not used and an eyesore.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** [redacted]Wooding Ave Woodcroft

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 26
Login: [redacted]
Email: [redacted]

Responded At: Oct 20, 2021 13:09:16 pm
Last Seen: Oct 20, 2021 02:36:44 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

It is under-used and not easy to access

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

It will allow the school to expand, as well as take away the congestion it currently experiences.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Gannet Court, Hallett Cove

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 27
Login: [redacted]
Email: [redacted]

Responded At: Oct 21, 2021 10:43:57 am
Last Seen: Oct 21, 2021 00:11:50 am
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Strongly support
Q2.	**Tell us why**	
	My children attend SMDPS and we need the car parking. I have never observed the reserve being used for other purposes	
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4.	**Tell us why**	
	School needs the parking so pressure can be relieved on residents	
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Undecided
Q6.	**Tell us why**	
	Could potentially be kept as reserve	
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Support
Q8.	**Which street do you live on?**	Gawler st, Seaview downs
Q9.	**How satisfied are you with this survey?**	Happy
Q10.	**Any additional comments.**	
	not answered	



Respondent No: 28
Login: [redacted]
Email: [redacted]

Responded At: Oct 21, 2021 17:46:39 pm
Last Seen: Oct 21, 2021 07:00:00 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Do not support

Q2. **Tell us why**

There has been no maintenance or asset upgrade to this area for many years if the council was serious about their reserves for residents they would have done more to improve the usability of their asset and not look for an option to hand it over to a developer This area is highly utilised by the community via pedestrian access for local services and business also being used to access public transport on Lonsdale highway by residents

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

This is public housing zones land and should be used for either residential use or open space This area has been poor used by this business with a failing traffic management plan and complete disregard for surrounding residents by the lack empathy and communication with their community This area since being leased to this business has been poorly maintained and has now caused resident to endure traffic hazards which will result in an injury to a resident or school user

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Do not support

Q6. **Tell us why**

Due to the already limited open space areas in our part of the city of Marion which are not bio diversity or national park we should keep them for community use and not leave them in there current state or dis repair to encourage residents to use them and promote a green active city

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker circuit

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 29
Login: [redacted]
Email: [redacted]

Responded At: Oct 21, 2021 18:48:08 pm
Last Seen: Oct 21, 2021 08:13:04 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

So St Martin de Porres can use the land for parking to safely walk children to school and cause less traffic problems for local residents.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

Safety for students to be walked from car to school and less disruptions and traffic jams for local residents.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

This provides opportunity for more housing in the area

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Thomas Way but my family live on Spinnaker Circuit

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 30
Login: [redacted]
Email: [redacted]

Responded At: Oct 22, 2021 08:52:35 am
Last Seen: Oct 21, 2021 22:20:43 pm
IP Address: [redacted]

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Strongly support
Q2.	**Tell us why**	
	It is under-utilised	
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Strongly support
Q4.	**Tell us why**	
	They need it for parking and other uses	
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Strongly support
Q6.	**Tell us why**	
	It needs to be used properly	
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Strongly support
Q8.	**Which street do you live on?**	Werlinga Road
Q9.	**How satisfied are you with this survey?**	Happy
Q10.	**Any additional comments.**	
	not answered	



Respondent No: 31
Login: [redacted]
Email: [redacted]

Responded At: Oct 24, 2021 08:52:08 am
Last Seen: Oct 23, 2021 22:13:24 pm
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

Support it with considerations. The open space is good, but it is not a proper space - nothing there. A path between Berrima Road and Spinnaker Circuit must be included in whatever is decided for this space

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

The school has increased in size. Parking is a problem, along with congestion at school times. As a resident of Spinnaker Circuit, near the park, it is very difficult to get home at the end of the school day due to all the traffic.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Do not support

Q6. **Tell us why**

There is already too much traffic in the area with cars parked on both sides of the road in that section. It would also devalue local property. If there is a need to sell land for more housing, consider some of the land in Spinnaker Circuit West Reserve, adjacent to Hungry Jacks

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit, [redacted] along from the reserve

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 32
Login: [redacted]
Email: [redacted]
com

Responded At: Oct 27, 2021 19:19:07 pm
Last Seen: Oct 27, 2021 08:28:27 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

We would like to see the land utilised for the Community - playground / bike track etc

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

If a carpark is to be constructed we would prefer it to be bitumen rather that dirt.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

There is already enough traffic around Spinnaker Circuit and surrounding streets especially around school times. Additional housing will only increase traffic

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Children accessing a path to the nearby schools and bus stops need a safe thoroughfare. Currently there isn't one with the amount of traffic

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

not answered



Respondent No: 33
Login: [redacted]
Email: [redacted]

Responded At: Oct 28, 2021 20:17:08 pm
Last Seen: Oct 28, 2021 09:37:17 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

It should remain community land council had nothing to do with it until School started utilising for carpark

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

It will help with issues with traffic as it is banked up on our street everyday and it would be good to keep dust and water run-off from coming into our properties.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

We don't need more housing, people use this land to walk dogs etc. Would be nice if it was made into parkland as the park near Hungry Jacks is pathetic in terms of community needs. As council have said it is all about money for them. Would be great to have volunteers develop land into a nice place to use for recreation. As residents we have had enough of dust and water runoff from construction. More housing construction will prolong this.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Berrima Road

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 34
Login: [redacted]
Email: [redacted]

Responded At: Oct 28, 2021 20:58:41 pm
Last Seen: Oct 28, 2021 10:23:54 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Undecided

Q2. **Tell us why**

not answered

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school is keen to purchase the land, it will assist with traffic management and the safety of school pupils and local residents.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Woodend Road

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

not answered



Respondent No: 35
Login: [redacted]
Email: [redacted]

Responded At: Oct 28, 2021 22:06:24 pm
Last Seen: Oct 28, 2021 11:18:47 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

We originally purchased our block of land to build our family home on because it had a reserve opposite and we had lovely views of the hills that we would always have because houses couldn't be built to block the views because of the reserve. We looked forward to having a playground, etc on the reserve for our children to play on. The council over the last 30+ years has completely ignored this reserve except for mowing it. To say it is not being used as a reserve is because of the council's negligence and not because the community didn't want a reserve there. The reserve has been used over the years for activities including kite flying, bike riding and dog walking and as a thorough fare for foot traffic. Now, because of council approval for the school to cover half of it with rubble, and put up bunting, those activities are no longer viable. The rubbled half of the reserve is now used for 15 mins in the morning and 15 mins in the afternoon as a carpark. The rest of the time it is a bare desolate piece of ground. The grey dust it creates blows into our house and over anything outside including our cars. When cars drive on the reserve, the dust billows up after them. The rest of the 23 ½ hours the wind blows the dust everywhere and the reserve is in a designated high wind zone. When the reserve was covered in green living plants, there was no issue with dust. For the sake of the school parents not having to park in the street for 15 mins twice a day we have been given an eyesore. We had no issues when cars parked in our street for that small amount of time. Now with the warmer weather approaching, we will still not be able to open our windows because the dust will just be blown in or float in, which is not good for the inside of our house or for those members of our family that have asthma. The school now has a much enlarged carpark, the building of which was when the school was allowed access, albeit temporarily, to use the reserve. That enlarged carpark spends most of its days mostly empty and the parents refuse to give up access to the reserve, driving their cars up the curb to park on it if they find the chain is across the driveway access. The council planted trees to hopefully stop this but there is still a car-width gap between a tree and one of the driveway chain posts accessible at an angle from the driveway, that is now used if the chain is up. Spinnaker Circuit road itself from the reserve driveway going down the hill is permanently grey not black due to the amount of rubble dust the cars leave on the road as they drive off the reserve. Also, a change to the classification of the reserve will reduce the value of all the surrounding properties. I strongly disagree with the council's proposal to change the classification of the reserve, and request it be restored as a green environment. If council puts in a playground, I'm sure there would be no cause in the future to label the reserve as "underutilised".

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

We originally purchased our block of land to build our family home on because it had a reserve opposite and we had lovely views of the hills that we would always have because houses couldn't be built to block the views because of the reserve. We looked forward to having a playground, etc on the reserve for our children to play on. The council over the last 30+ years has completely ignored this reserve except for mowing it. To say it is not being used as a reserve is because of the council's negligence and not because the community didn't want a reserve there. The reserve has been used over the years for activities including kite flying, bike riding and dog walking and as a thorough fare for foot traffic. Now, because of council approval for the school to cover half of it with rubble, and put up bunting, those activities are no longer viable. The rubbled half of the reserve is now used for 15 mins in the morning and 15 mins in the afternoon as a carpark. The rest of the time it is a bare desolate piece of ground. The grey dust it creates blows into our house and over anything outside including our cars. When cars drive on the reserve, the dust billows up after them. The rest of the 23 ½ hours the wind blows the dust everywhere and the reserve is in a designated high wind zone. When the reserve was covered in green living plants, there was no issue with dust. For the sake of the school parents not having to park in the street for 15 mins twice a day we have been given an eyesore. We had no issues when cars parked in our street for that small amount of time. Now with the warmer weather approaching, we will still not be able to open our windows because the dust will just be blown in or float in, which is not good for the inside of our house or for those members of our family that have asthma. The school now has a much enlarged carpark, the building of which was when the school was allowed access, albeit temporarily, to use the reserve. That enlarged carpark spends most of its days mostly empty and the parents refuse to give up access to the reserve, driving their cars up the curb to park on it if they find the chain is across the driveway access. The council planted trees to hopefully stop this but there is still a car-width gap between a tree and one of the driveway chain posts accessible at an angle from the driveway, that is now used if the chain is up. Spinnaker Circuit road itself from the reserve driveway going down the hill is permanently grey not black due to the amount of rubble dust the cars leave on the road as they drive off the reserve. Also, a change to the classification of the reserve will reduce the value of all the surrounding properties. I strongly disagree with the council's proposal to change the classification of the reserve, and request it be restored as a green environment. If council puts in a playground, I'm sure there would be no cause in the future to label the reserve as "underutilised".

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

We originally purchased our block of land to build our family home on because it had a reserve opposite and we had lovely views of the hills that we would always have because houses couldn't be built to block the views because of the reserve. We looked forward to having a playground, etc on the reserve for our children to play on. The council over the last 30+ years has completely ignored this reserve except for mowing it. To say it is not being used as a reserve is because of the council's negligence and not because the community didn't want a reserve there. The reserve has been used over the years for activities including kite flying, bike riding and dog walking and as a thorough fare for foot traffic. Now, because of council approval for the school to cover half of it with rubble, and put up bunting, those activities are no longer viable. The rubbled half of the reserve is now used for 15 mins in the morning and 15 mins in the afternoon as a carpark. The rest of the time it is a bare desolate piece of ground. The grey dust it creates blows into our house and over anything outside including our cars. When cars drive on the reserve, the dust billows up after them. The rest of the 23 ½ hours the wind blows the dust everywhere and the reserve is in a designated high wind zone. When the reserve was covered in green living plants, there was no issue with dust. For the sake of the school parents not having to park in the street for 15 mins twice a day we have been given an eyesore. We had no issues when cars parked in our street for that small amount of time. Now with the warmer weather approaching, we will still not be able to open our windows because the dust will just be blown in or float in, which is not good for the inside of our house or for those members of our family that have asthma. The school now has a much enlarged carpark, the building of which was when the school was allowed access, albeit temporarily, to use the reserve. That enlarged carpark spends most of its days mostly empty and the parents refuse to give up access to the reserve, driving their cars up the curb to park on it if they find the chain is across the driveway access. The council planted trees to hopefully stop this but there is still a car-width gap between a tree and one of the driveway chain posts accessible at an angle from the driveway, that is now used if the chain is up. Spinnaker Circuit road itself from the reserve driveway going down the hill is permanently grey not black due to the amount of rubble dust the cars leave on the road as they drive off the reserve. Also, a change to the classification of the reserve will reduce the value of all the surrounding properties. I strongly disagree with the council's proposal to change the classification of the reserve, and request it be restored as a green environment. If council puts in a playground, I'm sure there would be no cause in the future to label the reserve as "underutilised".

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 36
Login: [redacted]
Email: [redacted]

Responded At: Oct 28, 2021 22:33:29 pm
Last Seen: Oct 28, 2021 10:27:36 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

Value of adjacent & surrounding properties will be reduced. A variety of open green spaces is important to the overall feel & nature of a community. Apart from the mental health & environmental benefits, it is used by kids, dog-walkers, kite-flyers etc. We should be encouraging development of more green space, not killing off the existing ones.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

The School has mismanaged their current "temporary lease" of the area. It now generates clouds of additional dust that blows into neighbouring houses, reflects extra heat in summer & causes drainage problems in winter, and is an eyesore. The School has essentially turned it into a dustbowl that affects all the neighbouring houses, seemingly for the purpose of convenient parking for less than an hour per day.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

Value of adjacent & surrounding properties will be reduced. A variety of open green spaces is important to the overall feel & nature of a community. Apart from the mental health & environmental benefits, it is used by kids, dog-walkers, kite-flyers etc. We should be encouraging development of more green space, not killing off the existing ones. Any residential development would most likely be medium/high density style as this seems to be the current normality for most developers. This would definitely increase traffic & create more parking issues (even in the unlikely event that the school would share their under-utilised carpark).

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 37
Login: [redacted]
Email: [redacted]

Responded At: Oct 29, 2021 11:52:12 am
Last Seen: Oct 29, 2021 01:13:29 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

This land has not been used for recreation. It has been unused since the area was established.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

The land is not used. The school needs land to try and solve the school traffic problem.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

The land shape and levels are 'awkward'. I feel adding housing would create issues for those residents.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Spinnaker Circuit

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 38
Login: [redacted]
Email: [redacted]

Responded At: Oct 29, 2021 13:59:00 pm
Last Seen: Oct 29, 2021 03:13:57 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

We prefer that this land be kept as a reserve and the appropriate trees and plants be introduced and the whole area be kept as a park as previously promised when this area was originally developed.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

We prefer that this land be kept as a reserve and the appropriate trees and plants be introduced and the whole area be kept as a park as previously promised when this area was originally developed.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

We prefer that this land be kept as a reserve and the appropriate trees and plants be introduced and the whole area be kept as a park as previously promised when this area was originally developed.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Because we live on Spinnaker Circuit we prefer that this land be kept as a reserve and the appropriate trees and plants be introduced and the whole area be kept as a park as previously promised when this area was originally developed with an added pathway

Q9. **How satisfied are you with this survey?** Unhappy

Q10. **Any additional comments.**

not answered



Respondent No: 39
Login: [redacted]
Email: [redacted]

Responded At: Oct 29, 2021 14:34:43 pm
Last Seen: Oct 29, 2021 04:01:45 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

I do not support the sale of community land to private developers, and do not support the proposal in it's current form. I would support the sale of land (Piece A) to the school, however.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

As mentioned in the 194 and previous reports, the land is underutilised in it's current form. The school taking ownership of part of this land would increase it's usability and profile. I do not think it appropriate to sell the adjoining land to private housing developers.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

As above.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Workmaster Avenue

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 40
Login: [redacted]
Email: [redacted]
.net

Responded At: Oct 30, 2021 11:44:07 am
Last Seen: Oct 30, 2021 00:52:22 am
IP Address: [redacted]

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

As a parent at St Martin De Porres School this reserve is so valuable and important as a safe car park location for children and the community who attend the school. The school has been using this as a make-shift car park and has already proven to be valuable and well used. The land is otherwise vacant and I would imagine not otherwise utilised by the local community as it does not have a playground, walking trail, flat open green space etc. We are fortunate in the City of Marion that there are numerous other parks and open spaces with in close proximity, many of which have had a recent investment to provide great facilities and become places for the community to gather and enjoy.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

As a parent at St Martin De Porres School this reserve is so valuable and important as a safe car park location for children and the community who attend the school. Given the school is situated on the corner of two main roads with no car parking available (along Lonsdale Highway and Lander Road) and Berrima road already utilised for parking and 'kiss and go' line there is very limited car parking available close by within reasonable walking distance and that doesn't require crossing a busy road. A visit to the school during school pick up and drop off times will show the staff are already committed to helping families, residents and the community and keeping students safe by assisting with traffic management at several locations. The school is an important part of the local community and should be provided with the opportunity to purchase the land to help contribute to the school community. I also imagine that many local residents would appreciate a more structured and formal car park being available for school families to free up traffic parking and lining up in nearby streets.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

I don't have a view either way on this particular part of the proposal. I can however see great benefit in the school having an opportunity to purchase the land.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** School Parent

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

not answered



Respondent No: 41
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:08:34 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

not answered

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school has enough land/area this is a residential area, the traffic is already extensive in the mornings nad pickup afternoon expansion of the school will make it worse.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Kian Crescent

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

Leave the reserve as is, make it an open space, park for kids, leave some open spaces for our area.



Respondent No: 42
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:15:37 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

Too much traffic. Can this not be a green play area space for kids and parents.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

To much traffic currently. Cars block surrounding residnetial area

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

Do not want redevelopment due to noise and XXXX and inconvenience to residence.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Werlinga Road Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

The renovation of the school was an upheavel for residents traffic - parking - access and XXXX not supportive of more redevelopment.



Respondent No: 43
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:41:31 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

ABSOLUTELY DO NOT SUPPORT! A Private Institution taking over Public Amenity for its Private Use. This Land was always for all people to use, not a greedy private institute in collusion with members of council for its own vested interest and greed.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

ABSOLUTELY DO NOT SUPPORT! The horrendous traffic is worse than ever. This private institution should provide car parking on its own land, and not block access to all houses in Spinnaker circuit and Berrima Road. Who are the Council officers who have agreed with this school to do this? Do they have a personal involvement with the school? Ie do they have children attending this school?

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

ABSOLUTELY DO NOT SUPPORT! The council for the City of Marion clearly desires to make as much money as possible from this greedy land deal and will no doubt put as many, small area housing blocks on an irregular shaped sloping block of land, with probablye double story town house bunched together

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** [redacted] Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

I have had personal correspondence with parents of the students of the private school, who have told me of the school's long held desire to take over the reserve for its own private benefit, now the Council is clearly colluding with the school, Has there been any corrupt bribery and or payment from the school to enable this. This should be made public. The Council states that the reserve is "underutilized". What evidence is there for this? When were any accurate surveys taken? Show us the evidence, and who did these surveys? and were they associated with this school?



Respondent No: 44
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:45:10 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

The reserve is still used by residents of Spinnaker Circuit. It also acts as place for the community to get together and lastly adds to the aesthetic beauty of Spinnaker Circuit and as a homeowner this was a feature that influenced my decision to buy here

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Do not support

Q4. **Tell us why**

As a homeowner and resident of Spinnaker Circuit, it is already a challenge to come in or go out during school pick up and drop off times. There is a fear that the space will be used for drop/pick up which will increase traffic and congestion in the area.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

It is a beautiful residential area and more houses in a free empty space is always welcome

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly do not support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

The lack of a pathway acts as a natural deterrant from increasing traffic. Please save the reserve!



Respondent No: 45
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:50:14 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

Because I want a park left there. You said there was going to be a playground built there!!

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

Because too many rough driving (ie) fast and aggressive drivers pass our house @ XX Spinnaker Cct. People in this street should not have to be affected by the School's Pupils and the Pupils parents.

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

There will be more traffic in oru street. Afternoon sunlight missing as if there is a double story building built. less flat of XXX. There needs to be an open area there as aobve. You mentioned a playground to be here.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 46
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:55:30 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

We need some open spaces left as they are

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

Leave it as it is ! ! ! ! !

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

Theres enough built up areas now. Need to leave it as it is. ENOUGH is ENOUGH. Poor wildlife will lose their home. The council has enough with council rates on subdivisions. Our rates still go up but you are getting 2 rates on 1 Block now or 3 and 4

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly do not support

Q8. **Which street do you live on?** Landers Road Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

LEAVE IT ALONE



Respondent No: 47
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 14:57:43 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

St Martin School is already a busy area for local residents. Nobody wants them to develop more land.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

As above

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

Provided not high density housing! This will not fit with the current area and devalue current house prices

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Undecided

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

not answered



Respondent No: 48
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:03:59 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

We disagree with any development of the reserve. It should be retained as a public green space and landscaped. There has been nothing done to the reserve for years and the school parking has turned it into a dust bowl so little wonder it's under utilised by local residents.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly do not support

Q4. **Tell us why**

There is plenty of parking in surrounding streets. The current reserve parking has done nothing to alleviate queuing in Werlinga and Berrimah Roads as parents are too lazy to park and walk their kids a few 100 metres. Making the car park permanent won't change this

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

We don't need more housing in this area. There is plenty of land available without cutting up reserves. We have already experienced around 3 years of hell with school construction and reserve parking, noise, rubbish, lack of privacy and safety concerns. We don't want to have to deal with another 2 plus years of the same.

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly do not support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Unhappy

Q10. **Any additional comments.**

No. A pathway would only be necessary if the reserve is sold. Leave it as a reserve and no path would be needed. The school have shown no regard for the surrounding residents. School, Council and residents should be working together and all points of view need to be heard and considered. Its really feeling like those of us who live here don't matter. The last survey was rigged by the school handing out surveys to parents who don't live here and will obviously vote in favour of the proposal. How do we know the same won't happen again? People who don't live here don't understand or care about the impact on local residents.



Respondent No: 49
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:14:22 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Do not support

Q2. **Tell us why**

Research shows more green space benefits health, well being and environment. The area is already quite densly built with diminishing natural spaces and greenery.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

If it is to be sold, investment as an education space is a good compromise (albeit a private school).

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

We do not need denser building in this area

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Balee Avenue Sheidow Park

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

Improves safety and useability. I was previously 'strongly opposed', but the Council's commitment to Hugh Boulevard Reserve upgrade has made me slightly less opposed to the Spinnaker Cir East Proposal. Please keep investing in green space - quality and quantity.



Respondent No: 50
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:16:29 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly do not support

Q2. **Tell us why**

not answered

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

Being used for carparking currently anyway

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly do not support

Q6. **Tell us why**

- tiny houses, no backyard, no parking space, roads are busy/full enough - takes away recreational space we use

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Do not support

Q8. **Which street do you live on?** Leeward Court Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

Could spend money elsewhere. Bit of a waste.



Respondent No: 51
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:17:25 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Undecided
Q2. **Tell us why**	
not answered	
Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School**	Support
Q4. **Tell us why**	
not answered	
Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Strongly do not support
Q6. **Tell us why**	
not answered	
Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Support
Q8. **Which street do you live on?**	Spinnaker Circuit Sheidow Park
Q9. **How satisfied are you with this survey?**	Neutral
Q10. **Any additional comments.**	
Walk through to Church	



Respondent No: 52
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:19:19 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

Fortunately doesn't seem to change my circumstances

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

School might need more room for extra students

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

It is good for the council's revenue. Don't know what it will have for the current residents

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

Some walking ways should be retained (exercise) Good to have a survey before such changes



Respondent No: 53
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:20:16 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1.	**Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**	Support
Q2.	**Tell us why**	not answered
Q3.	**Do you support the proposal to sell Piece A to St Martin De Porres School**	Support
Q4.	**Tell us why**	not answered
Q5.	**Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**	Support
Q6.	**Tell us why**	not answered
Q7.	**Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**	Support
Q8.	**Which street do you live on?**	Berrima Road (the other one)
Q9.	**How satisfied are you with this survey?**	Happy
Q10.	**Any additional comments.**	not answered



Respondent No: 54
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:22:54 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

This parcel of land is not used for anything apart from a short cut for people to get through from Spinnaker Circuit to Berrima Road

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school has been in this area for nay years and provides a choice for the local community. With an increase of students likely it will need opportunity to increase its buildings / educational resources

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

As long as Council uses the money to improve facilities / parks for its residents

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Westall Way Sheidow Park

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

Really useful especially for parents walking their children to school. Personally I often use this as a short cut when I am out walking. Great that the public are asked about their views. Thank you.



Respondent No: 55
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:25:30 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

Seems to be wasted land, which can be used by teh School nad build more homes.

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

The school needs more space as it is growing in size

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

Lovely area for young families to move into - close to schools

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Weanda Court Sheidow Park

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

We walk through the space daily - having a pathway would be great. I think selling to school is a move in the right direction for the area.

Respondent No: 56
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 15:32:48 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

- please turn over

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

- please turn over

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

Please turn over

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Alia Drive Sheidow Park

Q9. **How satisfied are you with this survey?** Happy

Q10. **Any additional comments.**

It isn't currently being utilised and the opportunity of growth for the local primary school is a major positive, with many families moving into the area. It's a positive for the area and will help attract young families to the area, which is a health thing for the neighbourhood.



Respondent No: 57
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 16:10:39 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Support

Q2. **Tell us why**

its not used effectively as a reserve

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

Using the area as a car park has eased congestin

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Support

Q6. **Tell us why**

makes sense to use the land. selling for residential build would be good

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

As a resident easy access is important to the school with a child attending from 2022



Respondent No: 58
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 16:11:46 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?**
Strongly do not support

Q2. **Tell us why**

not answered

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School**
not answered

Q4. **Tell us why**

not answered

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council**
Strongly do not support

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?**
Strongly support

Q8. **Which street do you live on?**
Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?**
not answered

Q10. **Any additional comments.**

The reserve is a big part with walking my dogs.



Respondent No: 59
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 16:14:07 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

The school intends (if permitted) to use the area to aleviate the problems of traffic to and from the school which of course is very desirable. This is provided that drainage for stor water is included to prevent flooding in surrounding properties

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** not answered

Q4. **Tell us why**

not answered

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Undecided

Q6. **Tell us why**

not answered

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Do not support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

If the school uses the area for car parking a access will be provided



Respondent No: 60
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 16:16:35 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

Development of the land will increase the value and make the street more attractive for investors. Please ensure land is divided correctly and no high rise complex

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Support

Q4. **Tell us why**

Good option as schools are important for the growth of the community PS I would not send my children there though

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

Correctly alocated plots will be attractive for increasing the value of the land and surrounding area

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** sp

Q9. **How satisfied are you with this survey?** not answered

Q10. **Any additional comments.**

not answered



Respondent No: 61
Login: City of Marion
Email: communityengagement@marion.sa.gov.au

Responded At: Nov 09, 2021 16:19:40 pm
Last Seen: Nov 10, 2021 00:41:05 am
IP Address: 203.28.47.1

Q1. **Do you support Council's proposal to revoke the Community Land classification of Spinnaker Circuit Reserve East?** Strongly support

Q2. **Tell us why**

Wasted land not maintained not used

Q3. **Do you support the proposal to sell Piece A to St Martin De Porres School** Strongly support

Q4. **Tell us why**

But as use for car park, not to add an addition to the school then having the same parking issues as before

Q5. **Do you support the proposal to sell Piece B on the open market (likely for residential development) – to achieve maximum net financial return to Council** Strongly support

Q6. **Tell us why**

But conditional to residential only (not commercial) (not high rise)

Q7. **Would you like to see a pathway linking Berrima Road and Spinnaker Circuit?** Strongly support

Q8. **Which street do you live on?** Spinnaker Circuit Sheidow Park

Q9. **How satisfied are you with this survey?** Neutral

Q10. **Any additional comments.**

Access That the car park is professionally built, not the current gravel!! Appropriate signage ie give way sign at entry exit point. This depends on if these surveys are considered!!

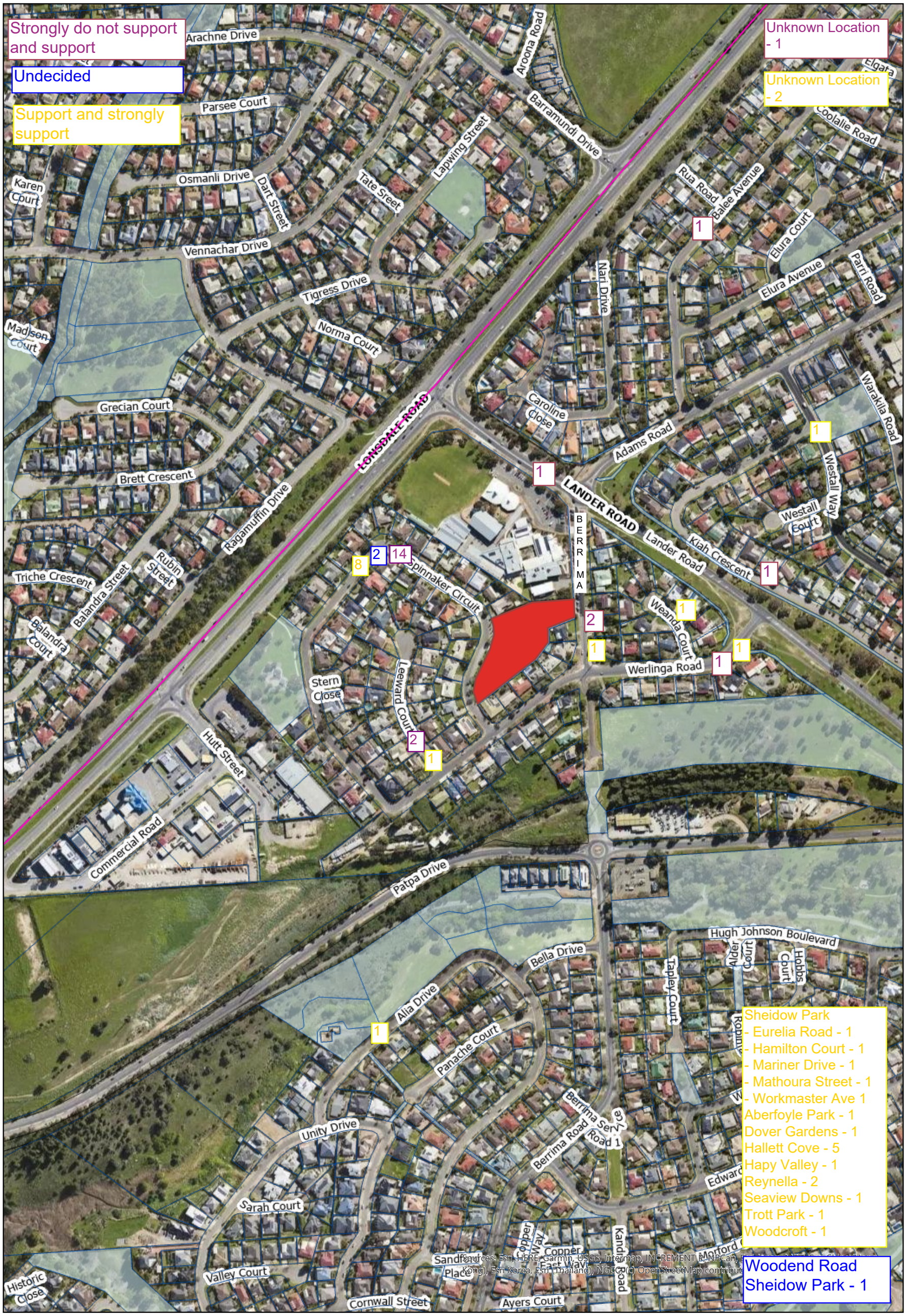
24 September 2019 (GC190924R03)	
1.	Notes the report.
2.	Undertakes Community Consultation regarding Spinnaker Circuit Reserve East (Allotment 88 in Field Plan 17901) on the following 5 options: i. no sale or lease of land and maintain as reserve; ii. sell/lease the Eastern section , subdividing the remaining land for residential purposes; iii. sell/lease the Northern section, and subdivide the remaining land for residential purposes; iv. sell/ lease all the reserve to the school; v. sell/lease the Eastern section, retaining the remaining as open space.

10 December 2019 (GC191210R03)	
1.	Notes the report.
2.	Acknowledges that Community Consultation regarding leasing the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East to the St Martin de Porres School for a period of five years is not required.
3.	Authorises the Chief Executive Officer to negotiate and enter into a lease of the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East at an amount that reflects a market rent from January 2020 for a five year term.

25 February 2020 (GC200225M01)	
	AMENDMENT (PART 1)
1.	Rescinds Motion GC191210R03: 1. Notes the report. 2. Acknowledges that Community Consultation regarding leasing the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East to the St Martin de Porres School for a period of five years is not required. 3. Authorises the Chief Executive Officer to negotiate and enter into a lease of the portion of land adjacent to Berrima Road of Spinnaker Circuit Reserve East at an amount that reflects a market rent from January 2020 for a five year term.
2.	Notes the report GC191210R03.
3.	Notes that the retention of the land known as Spinnaker Circuit Reserve East at Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546. Folio 484 does not contribute to Council's strategic objectives and is surplus to Council's requirements.
4.	Authorises Administration to commence the revocation process including the preparation of a report under Section 194(2)(a) and undertake public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential disposal of the whole of land known as Spinnaker Circuit Reserve East, Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546 Folio 484.
5.	Notes that Administration will bring a report to Council for consideration of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential disposal of the whole of the land known as Spinnaker Circuit Reserve East, Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546 Folio 484.
6.	Authorises the Chief Executive Officer to sell the Reserve in such a way so as to: a. Maximise the financial outcome to Council b. Comply with Council's Disposal of Land and Assets Policy and incorporate professional engineering and planning advice.
	AMENDMENT (PART 2)
7.	Notes that achievement of the above objectives through selling the Reserve is likely to include: a. Selling the portion of the Reserve shown as Option D (Appendix 1) in GC191210R03 (or similar to it) to St Martin de Porres School. b. Subdividing the remaining land to create new residential blocks for sale.
8.	Authorises the Chief Executive Officer to negotiate and enter into a lease of the portion of the Reserve shown as Option D in GC191210R03 (or similar to it) at an amount that reflects a market rent from February 2020 for a twelve month term (to align with any community land revocation process), noting that a Licenced Valuer will not be engaged to determine the market rent (consistent with Council's Leasing and Licensing of Council Owned Facilities Policy).

13 October 2020 (GC201013R05)	
1.	Notes the outcome of the community consultation process undertaken for the revocation of the community land classification for the whole of Spinnaker Circuit Reserve - East, Sheidow Park, at Lot 88 in Deposited Plan 17901, Certificate of Title Volume 5546 Folio 484 and for the potential disposal of the reserve.
2.	Authorises the lodgement of the proposal to dispose of the whole of Spinnaker Circuit Reserve -East, Sheidow Park to the Minister for Planning in accordance with Section 194 of the Local Government Act 1999 with: • a report on all submissions made as part of the public consultation process • a request to approve the revocation of the Community Land Classification
3.	Notes a report will be presented to Council upon receipt of the determination from the Minister for Planning in relation to Spinnaker Circuit Reserve - East, Sheidow Park.

27 July 2021 (GC210727R11.3)	
1.	Acknowledges the determination by the Minister for Planning and Local Government dated 23 June 2021;
2.	Confirms its intention is to sell the portion of the reserve indicated as 'Piece A' in Attachment 3 to St Martins De Porres School by negotiation, at or close to market value (bas
3.	Confirms its intention is to sell the portion of the reserve indicated as 'Piece B' in Attachment 3 on the open market in a manner to achieve maximum net financial return to Council, subject to the outcome of the revocation process;
4.	Endorses the Report for Consultation titled 'Section 194 Report for Consultation - Spinnaker Circuit Reserve' contained in Attachment 1 and resolves that it be subject to a period of Community Engagement, , in accordance with Section 194(2)(b) of the Local Government Act 1999 and Council's Community Engagement Policy;
5.	Authorises the 'Chief Executive Officer' or his nominee, to make minor variations to the Report for Public Consultation prior to the commencement of Community Engagement;
6.	Require a Community Engagement Plan to be prepared and referred to the Ward Councillors and Mayor for review prior to the commencement of the consultation period, community consultation to include mail out to residents within a 400 metre radius of the reserve, excluding the area to the west of Lonsdale Road;
7.	Confirms that should the revocation of community land classification and sale proceed, that net sale proceeds will be paid into the Open Space Reserve Fund for the development of Open Space for the benefit of the community, as approved by Council.
8.	Requires a further report to be presented for consideration by Council following conclusion of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential revocation of community land classification of the whole of the land known as Spinnaker Circuit Reserve East, Allotment 88 in Filed Plan 17901 comprised in Certificate of Title Volume 5546 Folio 484 to enable Council to determine if the revocation and disposal process should proceed.


Strongly do not support and support
Undecided
Support and strongly support
Unknown Location - 1
Unknown Location - 2
Sheidow Park
- Eurelia Road - 1
- Hamilton Court - 1
- Mariner Drive - 1
- Mathoura Street - 1
- Workmaster Ave 1
Aberfoyle Park - 1
Dover Gardens - 1
Hallett Cove - 5
Hapy Valley - 1
Reynella - 2
Seaview Downs - 1
Trott Park - 1
Woodcroft - 1
Woodend Road
Sheidow Park - 1
LANDER ROAD
LONSDALE ROAD
BERRIMA
Arachne Drive
Parsee Court
Osmanli Drive
Karen Court
Dart Street
Tate Sreet
Lapwing Street
Aroona Road
Barramundi Drive
Elgata
Coolalie Road
Rua Road
Balee Avenue
Elura Court
Elura Avenue
Parri Road
Nari Drive
Vennachar Drive
Tigress Drive
Norma Court
Madison Court
Grecian Court
Brett Crescent
Ragamuffin Drive
Triche Crescent
Balandra Street
Rubin Street
Balandra Court
Spinnaker Circuit
Stern Close
Leeward Court
Hutt Street
Commercial Road
Patpa Drive
Caroline Close
Adams Road
Warakilla Road
Westall Way
Westall Court
Kiah Crescent
Lander Road
Weanda Court
Werlinga Road
Hugh Johnson Boulevard
Alder Court
Hobbs Court
Tapley Court
Bella Drive
Alia Drive
Panache Court
Unity Drive
Sarah Court
Valley Court
Historic Close
Cornwall Street
Ayers Court
Berrima Road
Berrima Service Road
Sandfly Place
Copper Way
Copper Road
Kandy Road
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contribut

Attachment 5 – Potential Alternative Resolution Wording

That Council:

1. Notes the outcome of the community consultation process undertaken for the revocation of the Community Land Classification for the whole of Spinnaker Circuit Reserve – East, Sheidow Park, at Lot 88 in deposited Plan 17901, Certificate of Title Volume 5546 Folio 484 and for the potential disposal of the approximately 6,158 square metres of land.
2. Declares that the retention 'Piece A'of the land does not contribute to Council's strategic objectives and is surplus to Council's requirements.
3. Authorises the lodgement of the request for consent to revoke the Community Land Classification over the 'Piece A' Portion of Spinnaker Circuit Reserve – East for the potential disposal of the land with the Minister for Local Government in accordance with Section 194 of the Local Government Act 1999:
    a. With a report on all submissions made as part of the public consultation process
    b. A request to consent to the revocation of the Community Land Classification over Spinnaker Circuit Reserve – East.
4. Notes a further report will be presented to Council upon receipt of the determination from the Minister for Local Government in relation to the revocation. Subject to Ministerial approval, the net proceeds from the sale will be paid into the Open Space Reserve Fund for the development of open space as provided by Council.
5. Resolves to retain the 'Piece B' portion of Spinnaker Circuit Reserve – East as open space.

11.10 Mitchell Park Sports and Community Club - Liquor Licence Application	
Report Reference	GC211214R11.10
Originating Officer	Unit Manager Sport & Recreational Community Facilities – Mark Hubbard
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To seek Council endorsement to apply for an on-premises liquor license to support the management operations of the new Mitchell Park Sports & Community Centre.

REPORT HISTORY

Report Reference	Report Title
GC210622F04	Mitchell Park Sports and Community Centre Management Model

EXECUTIVE SUMMARY

At the General Council meeting on 22 June 2021 (GC210622F04) Council endorsed the management of the new Mitchell Park Sports and Community Centre by Council for the first 2-years of operation.

A function of the management role includes delivering food and beverage services to the local clubs, sporting groups and community, which includes the sale of alcoholic beverages to consume on-premises.

For Council to be able to sell alcohol at the facility and provide a revenue return to affiliate clubs, an on-premises liquor license is required to be held by Council. As such, Council staff are seeking approval to apply for an on-premises liquor license in the name of the Corporation of the City of Marion.

RECOMMENDATION

That Council:

1. **Authorise Council Administration to apply for an On-Premise's liquor license for the Mitchell Park Sports and Community Centre in the name of The Corporation of The City of Marion, in accordance with Part 4 of the Liquor Licensing Act 1997.**
2. **Support Administration seeking an exemption to the Liquor Licensing Act 1997 to allow for Council to provide a revenue return to designated affiliate Clubs of the Mitchell Park Sports and Community Centre from the sale of beverages, including alcohol.**

DISCUSSION

At the General Council meeting on 22 June 2021 Council endorsed the management of the new Mitchell Park Sports and Community Centre by Council for the first 2 years of operation.

The management function includes the provision of food and beverage services, which would generally be delivered through the bar and kitchen in the upstairs function room spaces. The food and beverage areas in the facility provide an important gathering place for the Clubs after their sporting activities and a social space for Clubs and the community for functions, events and presentations.

The revenue generated from the food and beverage services helps to offset the costs to operate the facility. A part of the operational model endorsed by Council also includes a Club revenue return system that offers a return to Clubs from food sales, and a return from beverage sales.

For Council to deliver the expected beverage services, a liquor license is required.

Council staff are seeking the formal endorsement of Council to apply for an on-premises liquor license for the new Mitchell Park Sports and Community Centre.

Further, approval is sought to seek an exemption to the liquor licensing act to allow for Council to provide designated “affiliate” Clubs a revenue return from the beverage sales, including alcohol. An “affiliate club” is one that has a licence with Council for the Mitchell Park Sports and Community Centre and considers the Centre important for core activity, which includes:

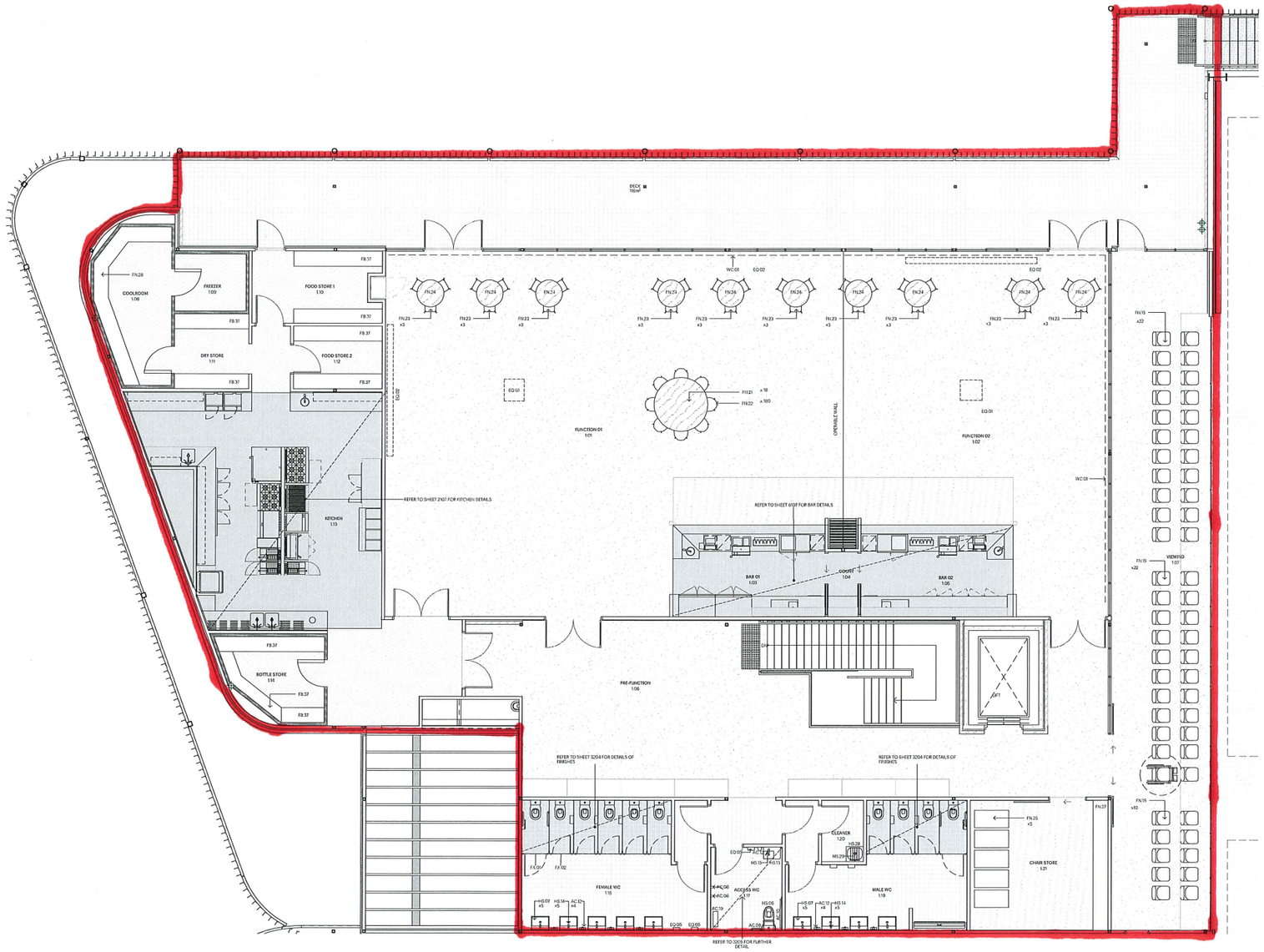
- Mitchell Park Football Club
- Mitchell Park Cricket Club
- Mitchell Park Netball Club
- Mitchell Park Tennis Club
- Dovar Gardens Dog Obedience Club
- Adelaide Radio Controlled Raceway
- South Adelaide Basketball Club
- Basketball SA
- South Adelaide Rugby League Club

The liquor licence will cover the entire main facility and undercroft areas (refer Attachments 1 and 2), but exclude the external site areas including oval, reserve, car park, outdoor courts and alfresco spaces.

The key rationale for this delineation is the difficulty overseeing the consumption of alcohol in external spaces. Should Council have any cause for a liquor licence to extend to these external areas (such as an event), a short-term liquor licence can be sought.

ATTACHMENTS

1. MPSCC First Floor Plan - Liquor Licence [**11.10.1** - 1 page]
2. MPSCC Ground Floor Plan - Liquor Licence [**11.10.2** - 1 page]



FLOOR PLAN - FIRST
SCALE 1:50

LEGEND

Refer sheet 0001 for complete list of code legends, and all... references for selection details.

ITEM	DESCRIPTION
AC.06	ROBE HOOK
AC.08	GRAB RAIL - STRAIGHT
AC.10	GRAB RAIL - ACCESS
AC.12	SOAP DISPENSER
AC.19	SANITARY BIN - GENERAL
EQ.01	CEILING MOUNTED DATA PROJECTOR
EQ.02	CEILING MOUNTED DROP DOWN PROJECTOR SCREEN
EQ.05	HAND DRYER
FB.37	FOOD STORAGE SHELVING
FN.15	SPECTATOR SEATING - FIXED
FN.21	FUNCTION ROOM TABLE
FN.22	FUNCTION ROOM CHAIR
FN.23	FUNCTION ROOM STOOL
FN.24	FUNCTION ROOM HIGH BAR TABLE
FN.25	CHAIR TROLLEY
FN.27	STORAGE SHELVING - GENERAL
FN.28	CAMO TABLE
HS.02	TOILET SUITE - ACCESS
HS.07	TOILET SUITE - CHANGING PLACES
HS.13	WALL MOUNT BASIN - ACCESS TYPE 2
HS.14	BASIN MIXER - KIET AREAS / HAND WASH
HS.15	BASIN MIXER - ACCESS
HS.28	CLEANERS SINK
HS.29	CLEANERS MIXER
WC.05	AUTOMATED BLACK OUT BLINDS

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All dimensions shall be checked on site. Any discrepancies shall be reported to the Architect for clarification. Written dimensions shall take precedence over scaled dimensions. These drawings shall be read in conjunction with all associated Specifications, documents and reports.

STUDIO NINE ARCHITECTS

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Kent Town SA 5067
Australia

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ISSUE: TENDER		D.A. PLAN AC: 29/05/2020
FIRST ISSUED: 18/09/2020	DATE ISSUED: 18/09/2020	D.A. BUILD:
SHEET: 32 OF 09	DRAWN: EB	TENDER:
SCALE AT A0: 1:50	CHECKED: JO/YD	CONST:

DRAWING AMENDMENTS

Rev	Date	Amendment
-	18/09/20	TENDER ISSUE

PROJECT
Mitchell Park Sports Redevelopment
139 Bradley Grove
Mitchell Park, SA 5043

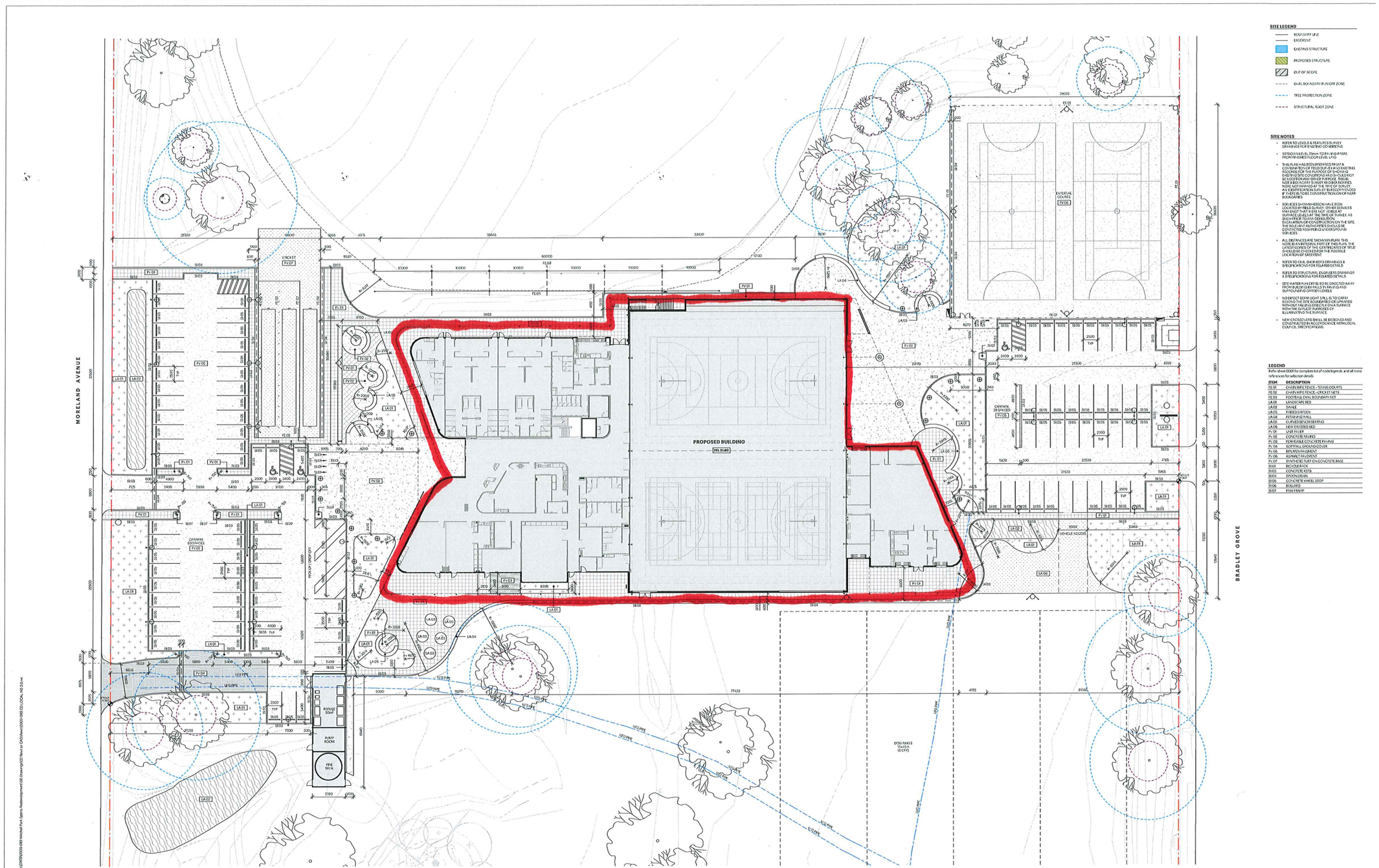
CLIENT
City of Marion
245 Sturt Road, Sturt, SA 5047

DRAWING TITLE
FFE Plan - First

PROJECT NUMBER	DRAWING NUMBER	REVISION
0909-089	2604	-

File: I:\Synergy\Projects\0909\0909 089 Mitchell Park Sports Redevelopment\04 Drawings\02 Revit or CAD\Revit\0909_089_CU_LOCAL_MO_3.0.rvt

Printed: 25/05/2020 5:27:40 PM



SITE LEGEND

- BOUNDARY LINE
- EASEMENT
- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- OUT OF SCOPE
- CIVIL BOUNDARY RUN-OFF ZONE
- TREE PROTECTION ZONE
- STRUCTURAL ROOT ZONE

SITE NOTES

- REFER TO LEVELS & FEATURES SURVEY DRAWINGS FOR EXISTING CONDITIONS
- RETAIN MAX EXIST. 150mm TO PAVED AREAS FROM FINISHED FLOOR LEVEL U.N.O
- THIS PLAN HAS BEEN PREPARED FROM A COMPILATION OF SURVEY DATA AND EXISTING RECORDS FOR THE PURPOSE OF SHOWING EXISTING SITE CONDITIONS AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THIS IS NOT A BOUNDARY SURVEY. ALL BOUNDARIES ARE APPROXIMATE ONLY. NO BOUNDARIES HAVE BEEN IDENTIFIED ON SURVEY. IT IS RECOMMENDED IF THERE IS TO BE CONSTRUCTION ON OR NEAR BOUNDARIES
- SERVICES SHOWN HEREON HAVE BEEN LOCATED BY FIELD SURVEY. OTHER SERVICES MAY EXIST THAT WERE NOT VISIBLE AT SURFACE LEVELS AT THE TIME OF SURVEY. AS SUCH PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION ON THE SITE, THE RELEVANT AUTHORITIES SHOULD BE CONTACTED REGARDING UNDERGROUND SERVICES
- ALL OBSTRUCTIONS ARE SHOWN IN PLAN. THIS NOTE IS AN INTEGRAL PART OF THIS PLAN. THE LATEST COPIES OF THE CERTIFICATES OF TITLE SHOULD BE CHECKED FOR THE POSSIBLE LOCATION OF EASEMENT
- REFER TO CIVIL ENGINEERS DRAWINGS & SPECIFICATIONS FOR FILLED DETAILS
- REFER TO STRUCTURAL ENGINEERS DRAWINGS & SPECIFICATIONS FOR FILLED DETAILS
- SITE WATER RUN OFF IS TO BE DIRECTED AWAY FROM BUILDS BY FALLS IN PAVING AND SURROUNDING GARDEN LEVELS
- NO REFLECT BEAM LIGHT SPILL IS TO CARRY BEYOND THE SITE BOUNDARIES OR UPWARDS WITHOUT FALLING DIRECTLY ON A SURFACE WITH THE EXPLICIT PURPOSES OF ILLUMINATING THE SURFACE.
- NEW CROSSOVERS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL COUNCIL SPECIFICATIONS.

LEGEND

Refer sheet 0001 for complete list of code legends and all cross references for selection details

ITEM	DESCRIPTION
FE 01	CHAIN MESH FENCE – TENNIS COURTS
FE 02	CHAIN MESH FENCE – CRICKET NETS
FE 03	FOOTBALL OVAL BOUNDARY NET
LA 01	LANDSCAPED BED
LA 02	LAWN
LA 03	PAVED GARDEN
LA 04	FEATURE WALL
LA 05	CURVED BENCH SEATING
LA 06	NEW GRASSED BED
PV 01	UNIT PAVER
PV 02	CONCRETE PAVING
PV 03	FERN RUNNE CONCRETE PAVING
PV 04	SOFTFALL GROUND COVER
PV 05	BITUMEN PAVEMENT
PV 06	ASPHALT PAVEMENT
PV 07	SYNTHETIC TURF ON CONCRETE BASE
SI 01	BICYCLE RACK
SI 03	CONCRETE KERB
SI 04	SPOON DRAIN
SI 05	CONCRETE WHEEL STOP
SI 06	BOLLARD
SI 07	PAINTRAMP

SITE PLAN
SCALE 1:200

0 1 5 10 20

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All dimensions must be checked on site. Any discrepancies shall be reported to the Architect for clarification. Written dimensions shall take precedence over scaled measures. These drawings shall be read in conjunction with all associated Specifications, documents and reports.

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ISSUE: TENDER			
FIRST ISSUED: 10/09/2020	DATE ISSUED: 10/09/2020		D-A PLANNING
SHEET: 7 OF 09	DRAWN:	IVS/DS	TENDER
SCALE AT A0: As indicated	CHECKED:	JG	CONST.

DRAWING AMENDMENTS

Rev	Date	Amendment
-	10/09/20	TENDER ISSUE

PROJECT NORTH

TRUE NORTH

PROJECT
Mitchell Park Sports Redevelopment
139 Bradley Grove
Mitchell Park, SA 5043

CLIENT
City of Marion
245 Sturt Road, Sturt, SA 5047

DRAWING TITLE
Site Plan

PROJECT NUMBER	DRAWING NUMBER	REVISION
0909-089	1202	-

11.11 Warradale Park Tennis Club	
Report Reference	GC211214R11.11
Originating Officer	Community Facilities Planner – Sean O'Brien
Corporate Manager	Manager City Property - Thuyen Vi-Alternetti
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

The purpose of this report is to seek Council's consideration of a proposal presented by Warradale Park Tennis Club to upgrade their clubroom facilities.

EXECUTIVE SUMMARY

On 26 November 2021 the Warradale Park Tennis Club (WPTC) submitted a proposal (refer Attachment 1) to redevelop the existing clubroom building at a total estimated cost of $789,500 ex GST.

The scope of the proposal includes:

- Refurbishment of the ground floor to provide administration, bar and dining facilities, bathrooms, changerooms and storage areas.
- Develop a new first floor function room with spectator facilities.

The WPTC is seeking a financial contribution from Council of $389,750 ex GST based on the Club securing a matching funding commitment from either the Federal or State Government.

The WPTC submission should be considered within the following context:

- Further analysis and progression of the proposed design and costings into detailed design and costs that consider potential site works and other costs and preliminaries not accounted for in the WPTC estimate.
- Work with the WPTC to look at cost effective and compliant options that may address the WPTC needs should the proposal attract funding commitments.
- Incorporation of the proposal in relation to Councils broader planning initiatives including the City of Marion Property Asset Strategy (CoMPAS) and Tennis and Netball Facilities Plan currently in development.

It is proposed that Council give consideration to the WPTC proposal as part of upcoming State and Federal election opportunities, with the requisite allocation of budget in the event it is successful.

Council should further note that Administration will include this proposal into the development of the City of Marion Property Asset Strategy (CoMPAS) and Tennis and Netball Facility Plan.

RECOMMENDATION

That Council:

1. **Notes the Warradale Park Tennis Club (WPTC) proposal and funding request for $389,750 from the City of Marion.**
2. **Notes the Administration's assessment of the proposal and the revised cost considerations which amend the total project cost to $1,089,640.**
3. **Endorses the proposed improvements to the Warradale Park Tennis Club.**

4. **Approves adding the proposal to the list of unfunded initiatives to seek an election or grant funding commitment.**
5. **Approves 50/50 funding support up to $544,820 in the event the Warradale Park Tennis Club secures a funding commitment for the proposal.**
6. **Notes that this proposal will be captured within the City of Marion Property Asset Strategy (CoMPAS) and Tennis and Netball Plan.**

BACKGROUND

The Warradale Park Tennis Club (WPTC) was established in 1956 and currently has a growing membership of approximately 160 members. The Club is located on Gardiner Avenue Warradale (refer to Attachment 2 and 3) beside an open reserve and kindergarten. The clubs aim is to have a modern tennis facility to serve its members and the surrounding community. The Warradale Park Tennis Club (WPTC) holds a licence for the tennis facility that expires on 30 June 2022.

Apart from club use, the facility can be used by the community through the book a court system at a fee of $5 per half hour booking. The facility is listed on the Asset Management Plan (AMP) for Buildings and has an estimated life of 25 years.

In February 2017 Council allocated funding for new court surfaces, court lighting and fences at the Warradale Park Tennis Club (WPTC) as part of the $1.162 million works program across three-years at this site as part of the Tennis and Netball Facilities program (refer GC280217R06).

The WPTC have indicated that there has been an increase in participation since the upgraded courts, fences and lights were completed. The Club considers these works “Stage 1” of the required tennis facility upgrades, and now wishes to pursue an upgrade to the clubhouse as “Stage 2”.

The club proposal outlines the following key issues for the clubhouse:

- The ageing and/or failing infrastructure.
- Poor security.
- Lack of accessible toilets and doorways.
- Poor quality of changerooms.
- Lack of sufficient storage areas.
- The dated function and bar area on the ground floor.
- The upstairs viewing platform does not offer a quality spectator environment.
- The first floor is not DDA compliant.

The WPTC has indicated upgrading the clubhouse will improve safety, grow female participation, and provide new income to the club through functions and servicing broader community needs.

The project would involve refurbishment of the ground floor to provide administration, bar and dining facilities, bathrooms, changerooms and storage areas estimated at $296,000 as well as a new first floor function room with spectator facilities estimated at $493,500.

The WPTC has developed preliminary architectural drawings and concepts which are provided as Attachments 4 and 5. A cost estimate for the upgrade is provided as Attachment 6.

The WPTC have proposed the following funding model for the project.

Warradale Tennis Club	$5,000	
City of Marion	$389,750	
Federal or State Government	$394,750	
Total	**$789,500**	**ex GST**

DISCUSSION

The WPTC is seeking a Council funding commitment of $389,750 ex GST based on securing matching funding from either Federal or State Government. The club is hoping to secure a funding commitment during the election campaigns in 2022.

Proposal Review

The current WPTC facility is showing signs of age and some areas lack the condition or standards that would now be considered suitable. As such, upgrades to the building are required. The question is whether the facility needs the proposed scale of works or whether suitable valued upgrades can be accomplished in alternate ways.

An initial review of the proposed plans highlights the following in response to the issues raised by the WPTC:

- It is agreed that parts of the facility are ageing and there is poor accessibility.
- It is also agreed that storage and security are insufficient.
- The changerooms are dated, as are the downstairs facilities, albeit serviceable.
- The upstairs area is poor quality and if upgrades are undertaken would need to be made compliant.

In addition:

- The need for a first floor function centre (upstairs) has not been tested to ensure it is a viable proposal and the scale of the proposed development is justified and sustainable. This level of provision is beyond the expected standards of a local tennis facility.
- Clarification that the existing roof and walls (those within 3m of the neighbouring kindergarten) achieve the minimum Fire Resistance Level.
- Two egress paths from the upper floor will be required. As the proposed second exit traverses the roof of the level below, it will need to be fire isolated.
- Access for persons with a disability will need to be provided to the proposed upper floor; a lift is likely to be required.
- Alternative options could be explored that still achieve improved spectator viewing over the courts and social spaces without triggering the need for additional cost items such as a lift.

This is an initial assessment of the proposal, further items may be identified during detailed design, a complete building rules assessment and further stakeholder engagement.

When considering the proposal from the WPTC Council should assess the following:

1. The feasibility of the proposed design and costings.

   Noting the timing of the proposal and the funding opportunities that are imminent, a detailed review of the redevelopment concepts proposed by the club should be progressed to validate a commitment by Council.

   There is currently no engineering documentation to support the concept designs, and this is likely to lead to additional items and costs that will need to be considered. For example, the building is not DDA compliant and a lift would be required to service a first floor function room.

   To undertake the review of the redevelopment Council will need to engage professional services that include building and services engineers to ensure the designs are comprehensive and the full cost of the clubroom development is identified.

   There may also be alternative cost effective development options that could be explored to meet the club's needs that can be explored through the above process.

2. Other Tennis and Netball facility needs and priorities.

   At the 19 October 2021 Elected Member Forum (ref: EMF211019R) Council reviewed the capital works program between 2017 to 2019 which resulted in a significant stride forward to improve a number of facilities across the City of Marion and address the oversupply of tennis courts and undersupply of netball courts. The forum discussion recognised there remains ongoing challenges for the provision of quality tennis and netball facilities. This includes:
   - Further changes in demand and supply of facilities.
   - Asset management.
   - Facility condition including the quality of buildings, amenities, and insufficient shaded areas at several sites.
   - Club capacity and low membership at some sites.
   - Access arrangements.

   To continue to improve upon the positive work delivered under the 2017 Tennis and Netball capital works program Council is currently developing key strategic documents to form recommendations for the short, medium and long term investment (including maintenance, capital renewal and capital projects) into its community buildings and sport facilities.

   The City of Marion Property Asset Strategy (CoMPAS) will provide analysis and recommendations for Council's sport and recreation facilities, including tennis and netball facilities, and a more detailed Tennis and Netball Plan will also be completed over the next 6 months to outline prioritised actions and investment into these facilities.

3. Other Council capital works needs and priorities.

   As noted, the City of Marion is currently developing the CoMPAS, which covers sport and recreation infrastructure requirements including outdoor sports courts.

   The aim will be to present the CoMPAS to Council by the end of the 2021/22 financial year.

Project Funding

If the upstairs function area is developed additional costs are likely to be incurred to address DDA access issues, installation of a lift, power and switchboard upgrades as well as addressing the structural engineering issues. Costs to determine this are difficult to assume without an integrated design.

Consideration also needs to be given to the unprecedented volatility in materials prices and construction costs over the past 12 months and likelihood this may continue for the next 12-18 months.

Furthermore, the proposal and associated cost estimates provided by the WPTC does have exclusions which are outlined as follows:

- No allowance for any services not mentioned above.
- No allowance for latent conditions,
- Council fees and charges,
- any engineers design or fees and inspection costs,
- any architectural fees, inspection or design costs,
- CITB levy,
- Services fees including SAPN fees & charges, SA Water fees, Telstra service to property, Telstra fees & charges, gas (APA) utility fees or charges, any fees, costs or charges by ETSA or your energy retailer for supplying of temporary power.
- No allowance has been made for securities, retention or performance guarantees.
- No assumptions or allowances have been made for items not clearly detailed on the documents provided.
- No allowance for project specific Contract Works Insurance.

Typically, fees, services charges and project contingency are in the range of 7.5% to 20% of the total project cost.

As such, if consideration is given to supporting the proposal and allocating funding in anticipation of matched funding based on the design provided by the WPTC on a 50/50 contribution basis, it would be prudent to build in likely contingencies and the inclusion of the cost for a lift. On this basis, a project cost of $1.089 million should be considered. This is based on an allowance for the inclusion of the lift, 7.5% for fees and allowances, 10% for market conditions and a project contingency of 5.0%. This would alter the project cost to $1,089,640 and require a 50% Council contribution of $544,820.

Next Steps and Options

In progressing the club's proposal and preparing it for delivery in the event a funding commitment is received, the likely timeframe to complete the scope of work is as follows:

Date	Action
December 2021 to January 2022	Refine the project brief and scope
December 2021 to February 2022	Seek funding commitments
February 2022	Seek written quotations – Select Tender process
March 2022	Engage contractor Undertake services review, site analysis Undertake stakeholder consultation
April 2022	Develop initial concepts Further stakeholder consultation
May 2022	Finalise concepts and cost estimates
June 2022	Report to Council
July 2022 to June 2023	Delivery of the works program – subject to the outcomes of procurement

ATTACHMENTS

1. WPTC Redevelopment Proposal 26.11.2021 [**11.11.1** - 21 pages]
2. Tennis and Netball Map 2021 [**11.11.2** - 1 page]
3. Warradale Park Tennis Club Site Map [**11.11.3** - 1 page]
4. Proposed Elevations [**11.11.4** - 1 page]
5. Proposed Floor Plans [**11.11.5** - 1 page]
6. Cost Estimate [**11.11.6** - 6 pages]

Warradale Tennis Club

Clubhouse Redevelopment
26 November 2021

Submitted by:
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Introduction

About the club

The Warradale Park Tennis Club, a family-oriented club, established in 1956 in the Southwestern Suburbs of Adelaide, values and promotes participation and enjoyment, and contributes positively to a strong community spirit.

To continue to meet the needs of its members and guests, grow the club and to maintain and foster close community ties, the Club is seeking to improve its venue facilities to complement its quality 2019 improvements of the existing 6 courts and new LED lighting.

History

The City of Marion has been an integral part of realising our aim at having a modern tennis facility serving our members and the surrounding community.

The upgraded courts, fences and lights that were part of the 2019 court upgrade have been well received by our community and patronage of the facilities has significantly increased. The courts and lights have enabled us to have Social Fast 4 Tennis for the local community on Wednesday and Thursday nights. With the Book a Court system in place, many of the nearby residents are able to access the courts at any time during the day and into most evenings, along with weekends when not in competition season.

This year we have been able to field two Metro sides, Division 1 and Division 2 at advanced tennis level. We also have six men's teams playing in the Glenelg District Association competition, together with a women's team and a mixed doubles team. Our Juniors compete across 2 teams, an orange ball competition for the upcoming starts and a D5 juniors' team, both teams participating with Tennis SA. Our social membership has increased significantly to 60 members and growing. We also host a senior ladies' group, mostly retired members of our community on a weekly basis. Our Club membership stands at about 160 members and growing.

Our professional coach, Sebastian Swierk, a former Australian tennis champion with a world ranking of 240, is coaching about 50 individuals and our assistant coach, Skip Wang about 25 in total. We also provide assistance to Marion Council Community Coaching including 25 juniors a week. The coaching program ensures that we keep on developing our players and also invest in our juniors.

The Warradale Park Tennis Club has experienced significant growth and we are an inclusive club catering to a wide level of abilities and engagement.

Context of the project

Stage 1 - Recent upgrades to lighting and courts

Stage 2 – Upgrade of the existing Clubhouse

Executive Summary

Warradale Park Tennis Club has, in partnership with City of Marion, successfully upgraded it courts, fencing and lighting facilities in 2019 (Phase 1).

The existing Clubhouse is an ageing facility, and the Club is seeking to refurbish and further develop the existing facility (Phase 2).

Warradale Park Tennis Club is a thriving tennis club of choice in the Marion Council area and is providing an important service to its members and the surrounding community. By redeveloping the existing facility, the Club will be in a strong position to meet the needs of its members and guests, grow the club and to maintain and foster close community ties.

The project will provide a range of economic, social, and environmental benefits. This includes:

- Improving the supply of community facilities in the region.
- Creation of new opportunities for people to participate in tennis and other community activities.
- Extending the range of services offered by the Club.
- Increasing spending through local supply chains and stimulation to the local economy.
- Creation of jobs in the local region.
- Improvements to the energy efficiency of the facility.

The project scope has been split into two parts, namely the Ground Floor and the First Floor Redevelopment. The Club has done work with a local architect and builder to prepare a concept design and perform a costing exercise for the refurbishment option. An investigation by the architect and builder confirmed that the Club is structurally sound which lends itself to the refurbishment option. The most cost-effective option will be to upgrade the existing facility, compared to building a new facility.

The Club is seeking Council commitment based on a matching principle with funding obtained from Federal and or State Government. Assuming the total project is supported, this will be as follows **(excluding GST):**

Warradale Park Tennis Club	$ 5 000
City of Marion	$389 750
Federal or State Government	$394 750
Total	**$789 500**

Project Details

Project Description

Warradale Park Tennis Club's mission is to be recognised as a friendly, welcoming, inclusive club and a great place to play tennis in the City of Marion region by providing excellent tennis facilities and a range of opportunities for members of all ages and abilities to participate in the club.

To complement the quality 2019 improvements of six new courts with LED lighting, Warradale Park Tennis Club is seeking to improve its venue facilities. This will enable it to continue to meet the needs of its members and its guests, grow the club, and to maintain and foster close community ties. The upgrade project will also enable the Club to be sustainable in the future by enabling it to increase its revenue base by hiring out the proposed all weather, multi-use First Floor.

Scope

The project scope has been split into two parts, namely the Ground Floor and the First Floor Redevelopment. The club has identified a need to improve and refurbish these ageing facilities so as improve amenity, functionality and connectivity for players, spectators, members, and visitors alike. There are also safety concerns and improvements to toilets and changerooms required to bring the facility within the latest building regulations and DDA requirements.

Refurbish Ground Floor to Address the Ageing Facilities
The Ground Floor is the administrative and first-stop social hub of the venue, providing Bar and Dining facilities, Bathrooms, Changerooms and storage areas.

Main Club Room
- Replace limiting sliding doors and fixed-glass sidelights with fully openable folding doors/windows
- improve acoustic and lighting amenity
- refurbish the Bar

Bathrooms
- upgrade facilities generally with improved ventilation, lighting, décor, and changes to sanitary fixtures

Access to Stair
- Area tidy-up, improve acoustics and lighting, to create a better identifiable Stair lobby

Develop First Floor Function Room with Spectator Facilities
The existing first Floor Deck provides an area from which the Club's outdoor activities can be viewed and enjoyed from a wonderful vantage point, one which also enables patrons to take-in extended views to the East, South and West.

The facility proves popular in fine weather but has limited use in less clement months, and the Club has identified that this area can be transformed to become a valuable and popular all-weather multi-use space, complete with bar and food facilities.

In doing so, the space will become eminently suitable for the use and needs of the Club and various Community usegroups such as functions, conferences, meetings, yoga, and the like, while (still) providing the Club with a wonderful and comfortable viewing facility.

The proposed roof forms and half-height folding window-walls will enable the space to take on an indoor/outdoor feel.

Strategic Context

The South Australian Government has invested in a forward-looking framework outlining the collaborative approach to ensure physical activity and play can fit seamlessly into the daily lives of South Australians. This project will align the following state targets as outlined in the *Game One: Getting South Australia Moving framework*.

- Be innovative and change the mindset of South Australians by investing in areas that guarantee physical activity to work around people's lives.
- Build system resilience and capacity, connecting investment in infrastructure, high performance, and events.
- Adapt and evolve sport and recreation programs, services, and approaches, placing additional focus on active recreation that provides everyone with an opportunity to participate.
- Develop 'family-friendly' fixturing across sports and alternative club structures to better harness available volunteers.
- Design and develop adequate public open spaces.
- Meet community demand to allow people increased hours to participate in activity safely.

The Warradale Park 5-year Business Plan 2021-2026 included a specific action "To Secure grants from Council, State & Federal Governments to assist in the facilities upgrade".

This is a critical enabler of achieving our Strategic Pillar 1: Well Managed Club - To ensure the sustainability and relevance of the club and facilities for members and the surrounding community.

Review of Existing Facilities

The following pictures are used to explain the existing facilities and highlight some of the associated issues and opportunities.

Picture 1 Upgraded Courts (Phase 1)
The Warradale Park Tennis Club is adjacent to the Warradale Park Reserve and the upgrade has been done with the environment in mind, with the green outer courts blending into the park. Gates from the reserve and also surrounding streets provide accessibility to our community and members.



Picture 2 Junior Tennis Development
The WPTC provides tennis development for all ages but is most proud of our Hot Shots Programme with coaches investing time into our juniors to learn a love for the sport and tennis for life.



Picture 3 Clubhouse Southern View

The Club House is adjacent to the courts and consists of a ground floor club room and first floor above the main section of the club room. The original structure is sound and lends itself to upgrading rather than a more costly demolition and rebuild.



Picture 4 – Ground Floor Main Clubroom

The main Clubroom consists of a kitchen area, open floor space and a bar area. The Club has taken pride in maintaining the club house as can be seen in the picture with window cleaning underway.



Picture 5 – First Floor Open Area
The first floor consists of an open area overlooking the courts and has a beautiful view of the Hills. It is very popular amongst members to watch tennis and is used for functions. As can be seen it is not covered. By investing in a roof, the enclosed area will be in high demand given the all-weather availability providing the Club with an income by renting out the facility more frequently. It will also make it more soundproof, preventing interference with the surrounding community members.



The Club has hosted staff of the City of Marion in a site tour of the existing facility. It is clear throughout that although structurally sound, the facility has aged significantly. By investing selectively in new toilets, tiling, painting, electrical infrastructure, etc. the life of the existing Clubhouse can be extended significantly.

The following pictures highlight some of the defects in the existing facility that will be addressed by the proposed project.

Picture 6 – First Floor Accessibility
The first floor is only accessible by a single staircase. An emergency escape will make it more resilient to potential first escapes which has been included in the proposal.



Picture 7 – Dysfunctional Air Condition System
The current air conditioning system is dysfunctional. Provision has been made to install two wall mounted split unit systems.



Picture 8 – Security Concerns
The Club room has not been designed with some of the security challenges in mind, and the Club has been the target of two recent break ins. By replacing the doors and reinforcing walls and doors, the security concerns will be addressed.



Picture 9 – Aged Toilets & Change Rooms
Female participation will be encouraged by ensuring toilets, showers, and change rooms are modernised.



Picture 10 – Defective Lighting
The electrical lighting in some cases is defective and requires replacement throughout the building. This will assist with making the building less prone to potential fires should an electrical fault occur.



Picture 11 – Narrow Doorways
Doorways to the men's and ladies' toilets requires widening to meet DDA requirements.



Picture 12 – Stairs
The stairs lighting and surfaces requires upgrade to make the First Floor accessible and safe to use by addressing the slippery surface and lighting issues.



Picture 13 – Open Storage

The bottles and cans aesthetically detract from the First-Floor access and collect dust. By enclosing this area, it will address this issue and make it safer and more hygienic.



Picture 14 – Rust and Cracking

In some areas within and around the Clubhouse, cracking and rusting of the structure started to occur which will be addressed as part of the proposed project.



Picture 15 –Cracking and Piping

In some areas within the Clubhouse, cracking started to occur which will be addressed as part of the proposed project. A refresh of the electrical cabling and aircon piping will be addressed as part of the proposed project.



Picture 16 – Old Cupboards and Bar Area

The cupboards and bar counter have aged and require replacement.



Facility needs

Warradale Park and surrounding suburbs have been seen significant infill development and the consequent population growth, including young families moving into the Club's member feeding areas.

The Warradale Park Clubroom provides a central facility for the surrounding community and its members. In the general area there has been sporting upgrades at the Brighton Rugby Club, Brighton Lacrosse Club and at the Marion Sports and Community Club. However, within this part of Warradale there is no similar facility.

The tennis club facility and courts receive high use and are of high value to the community.

The Club is a relatively large tennis club and a well-used tennis facility with good relationships and participation with both Tennis South Australia and Glenelg Districts Tennis Association.

The planned improvements will not only benefit the Clubs members, but also provide accessibility and a social gathering facility to the broader community.

The tennis clubroom is in an average condition and requires some refurbishment to support the level of community activity into the future.

Stakeholder Consultation

A stakeholder analysis has identified the following key stakeholders:

- Residents surrounding the Club
- Club members (both social members and competition members)
- Kindergarten
- City of Marion
- Tennis SA
- Glenelg Districts Tennis Association

It should be noted that initial contact has been made with all the parties above and further consultation will be required, should the project proceed. The Club has conducted a survey of its members via Survey Monkey to obtain inputs into the needs and priorities of the club going forward.

The Warradale Park Tennis Club “Spirit of a Warrior” outlines our values and culture in which forms the heart of our stakeholder relations:

- We are a close tribe of loyal mates, encouraging and supporting each other
- We prioritise the wellbeing of our team above our self-interests
- We are competitive, giving our best in each and every match we play
- We play fairly, demonstrating good sportsmanship at all times
- We understand that we are part of a village, respecting and including our surrounding community
- We protect and develop our youth members, encouraging them to become our future warriors

Development options

Option 1 - Do nothing

If the Clubhouse redevelopment does not proceed, the ageing facility will continue to deteriorate, making it increasingly unattractive for its members. The Club will have to invest additional funds to cover operational costs with attempting to keep a very old facility running, with the challenge of decreasing membership as a result of having a very unattractive, aged facility for its members.

The facility does not meet standards required for change areas and toilets which is a barrier to growing participation amongst females, juniors, and people with disabilities. It is important that all sectors of the community have an opportunity to participate.

The “do nothing” option would not fulfil the economic or social benefits of the project.

Option 2 – New build

Discussion with a number of other Clubs that recently built new Clubhouses has indicated a cost of $2m - $4m to replace the existing Clubhouse by demolition, followed by a rebuild in the same vicinity.

A rebuild will affect the kindergarten adjacent to the Club as some of the walls are shared and the safety risk during construction will expose the children and teachers attending the kindergarten.

During the construction period, the Club house will be not available for use by the Club’s members for the full construction period. Potential loss of members and cost of renting alternative tennis courts and facilities will be incurred by the Club. Building a new facility will have a longer construction period compared to refurbishing and upgrading the existing Club house.

Option 3 – Refurbish and upgrade the existing club

The Club has done work with a local architect and builder to prepare a concept design and perform a costing exercise for the refurbishment option. An investigation by the architect and builder confirmed that the Club is structurally sound which lends itself to the refurbishment option.

Refer to the Scope section for the outline of what is included in Option 3.

Preferred Solution

We have looked at options to replace or refurbish the existing facility to modernise the facility and bring this in line with similar sporting clubs in our community. The most cost-effective option will be to upgrade the existing facility.

Benefits of the Project

Economic Benefits of the Project

Should the project proceed a Remplan Economy Report indicates a direct increase in economic output of $0.868 million from the facilities development, it is estimated that there will be additional demand for intermediate goods and services rising by $0.868 million. These supply-chain effects include multiple rounds of flow-on effects, as servicing sectors increase their own output and demand for local goods and services in response to the direct change to the economy.

The increases in direct and indirect output would typically correspond to the creation of jobs in the economy. Corresponding to this change in employment would be an increase in the total of wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated at $0.193 million.

Total output, including all direct, supply-chain and consumption effects is estimated to increase by up to $1.749 million should the project proceed.

Impact on Employment

Project employment opportunities include:

- Project management of design and construction of the new facilities
  - Project Manager
  - Architect,
  - Building Engineers
  - Planning consultant
  - Construction workers
  - Services Engineer
  - Surveying
  - Electrician
  - Sub-Contractors as required
  - Council staff

- Ongoing management of the facility
  - Management committee roles
  - Council property staff
  - Cleaning
  - Maintenance

From a direct increase in output of $0.868 million through construction the corresponding creation of direct jobs is estimated at 2 jobs. From this direct expansion in the economy, flow-on supply-chain effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 2 jobs.

The increase in direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated to further boost employment.

Total employment, including all direct, supply-chain and consumption effects is estimated to increase by up to 5 jobs.

Social Benefits of the Project

The community facilities to be developed at Warradale Tennis Club are an important investment not only to cater for unmet community need but also for the future. Sport and Recreation helps to connect communities and stimulate economic growth. Whilst Sport and Recreation is not the cure all for social issues it can significantly impact on communities in several ways.

Currently there is a low supply of community facilities available in the area. The new facilities will provide a catalyst for community sport and gatherings meeting a social need for informal recreation and sports, small functions, to events and social organised club sport. The facilities will also provide the school a positive connection to its surrounding community.

The new facilities are expected to create a large number of new opportunities for people to participate and provide positive impacts from physical and mental wellbeing.

The Ausplay National participation survey indicates Sport clubs are the primary avenue for children to be active. The renovated facility will provide the Warradale Park Tennis Club the opportunity to connect with students and recruit new members. This enables the potential for a lifelong connection for children from the community, surrounding local schools and kindergarten with an active and socially connected lifestyle.

Health Benefits

Personal
- Improved physical well being
- Mental health benefits including lower levels of depression and anxiety
- Lower levels of chronic disease such as cancer, heart disease and diabetes

Health system
- Lower levels of chronic disease such as cancer, heart disease and diabetes deuces overall health system costs
- Improved mental health by providing the ability to socialise with other members in a positive and uplifting environment.
-

Social Benefits

Community pride
- Improved community connection with the school, clubs, and the facilities
- Provide a new local venue for community sport

Volunteering
- New roles in the delivery of sporting opportunities for the community
- Provide opportunities for social connection and social inclusion

Environmental Benefits of the Project

Key environmental benefit associated with the project include:

- Increased energy efficiency due to upgraded lighting and air conditioning systems
- Reduced carbon emissions
- Glass solution less reflective and isolating, reducing effect on the community and energy efficiency of the building

Venue Management

The Club will continue to lease the facility from Marion Council and continue to be responsible for the management and operation of the facility. This is done by a well-functioning Club Committee with support from the City of Marion Council.

Club activities/timetable include:

- League matches scheduled on Saturdays
- Members booking courts for training sessions throughout the week
- Coaching provided throughout the week
- Retired ladies' tennis group using the facility on Monday mornings
- Junior Hot Shots development program with coaching throughout the week
- Team practices scheduled by league teams throughout the week
- Fast 4 community tennis scheduled on Wednesday and Thursday evenings
- Club Tournaments hosted per the Annual Club Calendar
- Club Functions and fundraisers hosted per the Annual Club Calendar
- Available to be booked for community functions providing additional income to the Club
- Kindergarten use during mornings to encourage and develop ball skills
- Book a Court Systems (Tennis SA) providing the ability for community members to book courts throughout the week

Asset Management

Club will develop an asset management plan to maintain facilities in good condition in partnership with Council. The Club has over the years proven its ability to manage the asset.

Project summary

Preliminary plans with associate costs have been developed
(Refer to Attachments 1-3 listed below)

Level	Scope of Works	Costing
Ground Floor	Women's bathroom	$296,000
	Men's bathroom	
	Main clubroom - general area	
	Stair foyer area	
	Women's external bathroom	
	Men's external bathroom	
	External store	
	Ground floor bar	
First Floor	New servery	$493,500
	New bar	
	General seating / dining area	
	Second fire exit stair	
	Roof work	

Cost Estimate

We have done work with a local architect and builder to prepare a concept design and perform a costing exercise, which was funded by our club. The Club has funded $5000 for this initial work and was the basis for the preparation of this proposal.

A copy of the Architectural Concept Plan and Cost Estimate are attached for your reference.

The estimate cost is as follows:

Ground Floor Works:	$296,000
First Floor Work:	$493,500
Total excluding GST	**$789,500** ($868,450 incl 10% GST)

The Club is seeking Federal Funding and has submitted a request into Federal Candidates for Boothby.

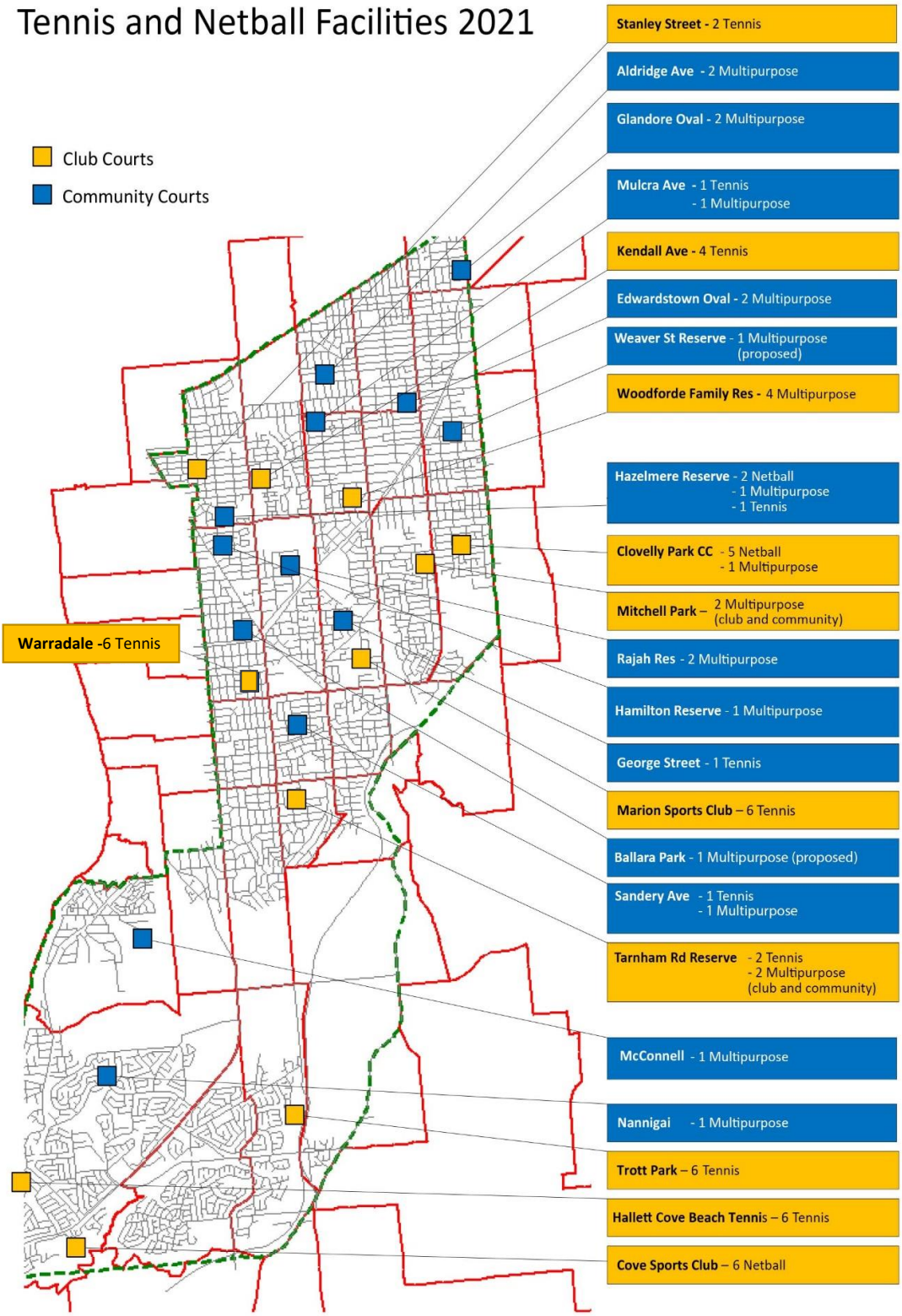
The Club will do a contribution from its current available funds to the redevelopment project, if fundings is secured for the project (in addition to the $5,000 already invested).

The Club is seeking Council commitment based on a matching principle with funding obtained from Federal and or State Government. Assuming the total project is supported, this will be as follows (excluding GST):

Warradale Park Tennis Club	$ 5 000
City of Marion	$389 750
Federal or State Government	$394 750
Total	**$789 500 excluding GST**

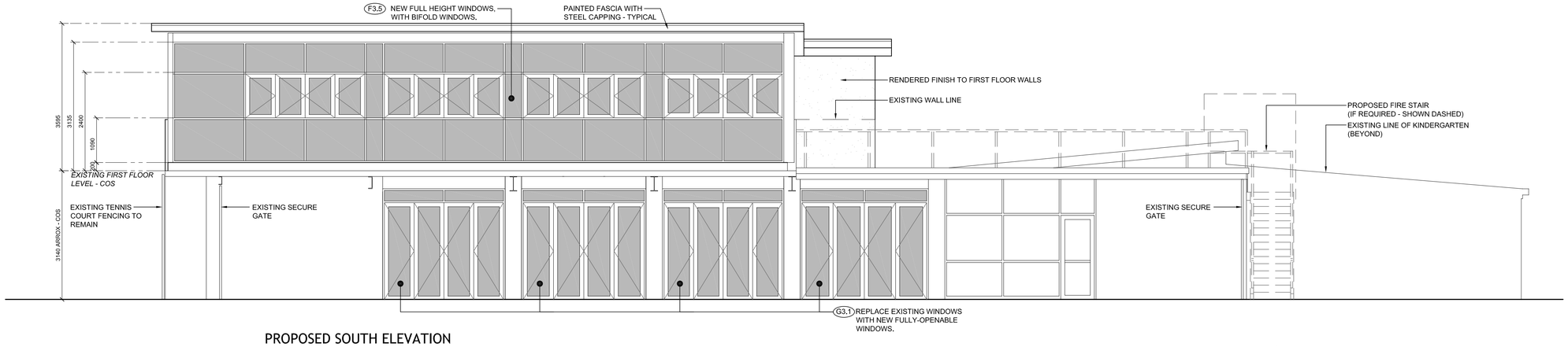
Attachments

Attachment 1 - Proposed Floor plans
Attachment 2 - Proposed Elevations
Attachment 3 – Cost Estimate

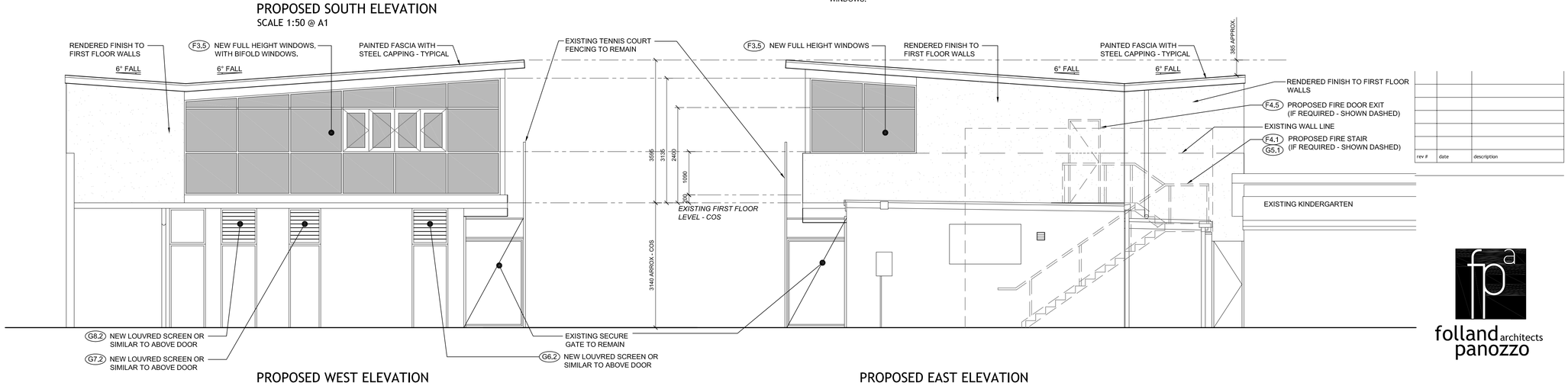

Tennis and Netball Facilities 2021
Club Courts
Community Courts
Stanley Street - 2 Tennis
Aldridge Ave - 2 Multipurpose
Glandore Oval - 2 Multipurpose
Mulcra Ave - 1 Tennis
- 1 Multipurpose
Kendall Ave - 4 Tennis
Edwardstown Oval - 2 Multipurpose
Weaver St Reserve - 1 Multipurpose (proposed)
Woodforde Family Res - 4 Multipurpose
Hazelmere Reserve - 2 Netball
- 1 Multipurpose
- 1 Tennis
Clovelly Park CC - 5 Netball
- 1 Multipurpose
Mitchell Park – 2 Multipurpose (club and community)
Warradale -6 Tennis
Rajah Res - 2 Multipurpose
Hamilton Reserve - 1 Multipurpose
George Street - 1 Tennis
Marion Sports Club – 6 Tennis
Ballara Park - 1 Multipurpose (proposed)
Sandery Ave - 1 Tennis
- 1 Multipurpose
Tarnham Rd Reserve - 2 Tennis
- 2 Multipurpose (club and community)
McConnell - 1 Multipurpose
Nannigai - 1 Multipurpose
Trott Park – 6 Tennis
Hallett Cove Beach Tennis – 6 Tennis
Cove Sports Club – 6 Netball

Warradale Park Tennis Club



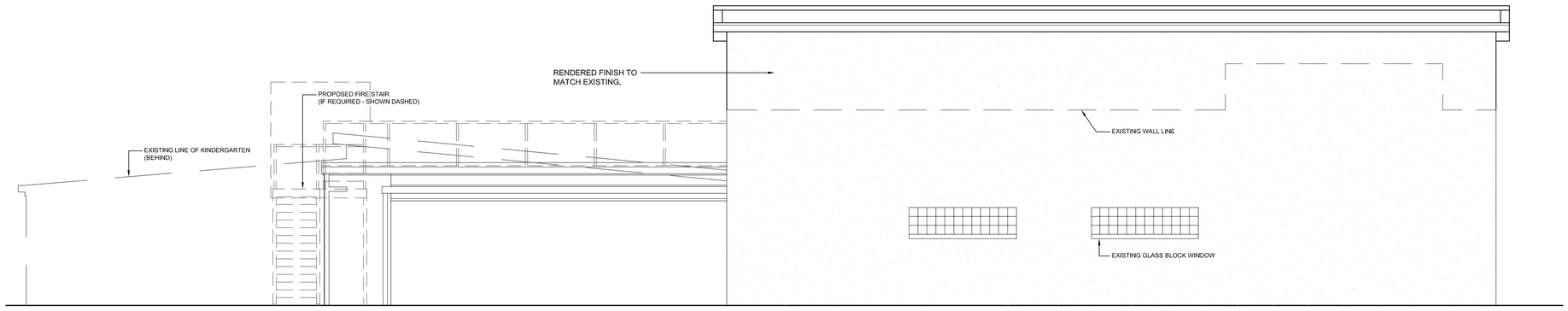


PROPOSED SOUTH ELEVATION
SCALE 1:50 @ A1



PROPOSED WEST ELEVATION
SCALE 1:50 @ A1

PROPOSED EAST ELEVATION
SCALE 1:50 @ A1



PROPOSED NORTH ELEVATION
SCALE 1:50 @ A1

0 1 2 3 4 5m

rev #	date	description

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project

ALTERATIONS AND ADDITIONS TO THE WARRADALE TENNIS CLUB CNR OF CAIRNS AND GARDINER AVENUE, WARRADALE, SA, 5046

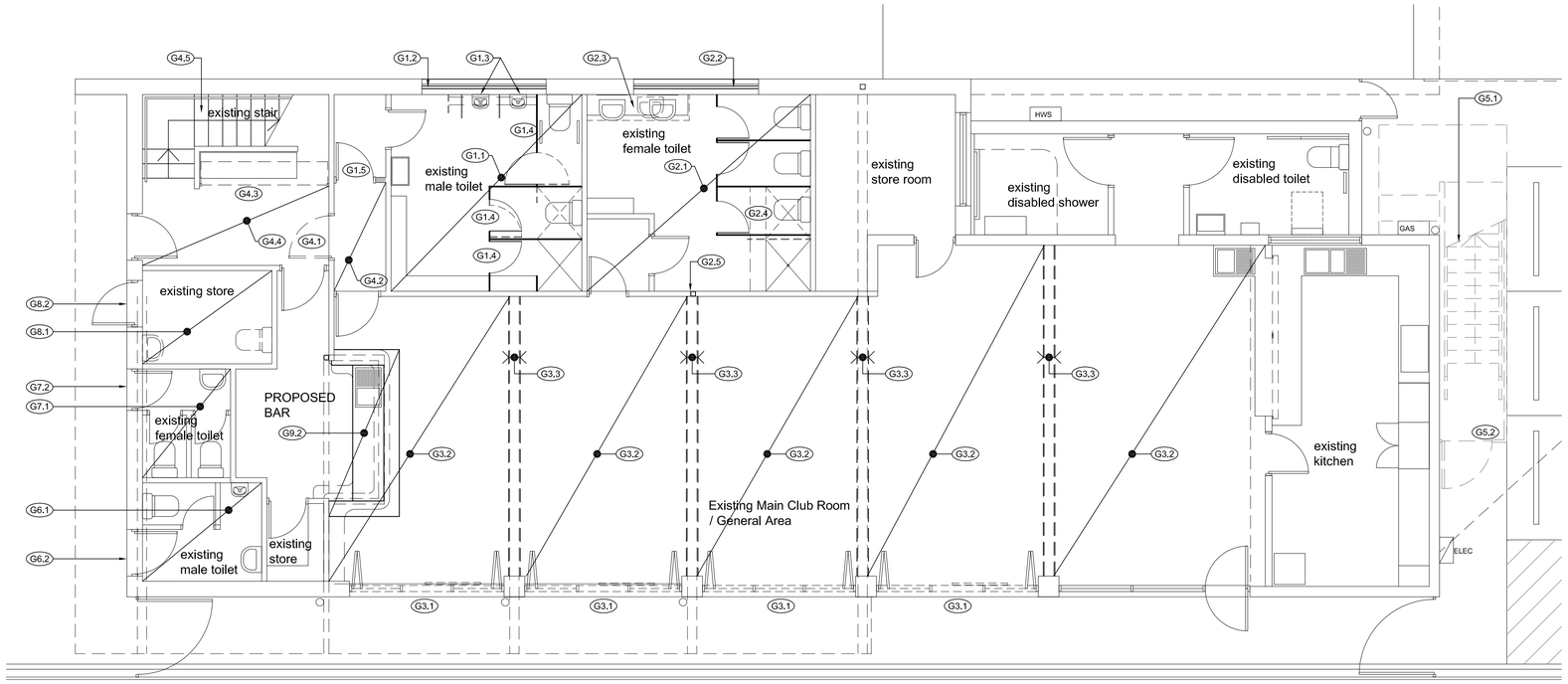
drawing title

Proposed Elevations

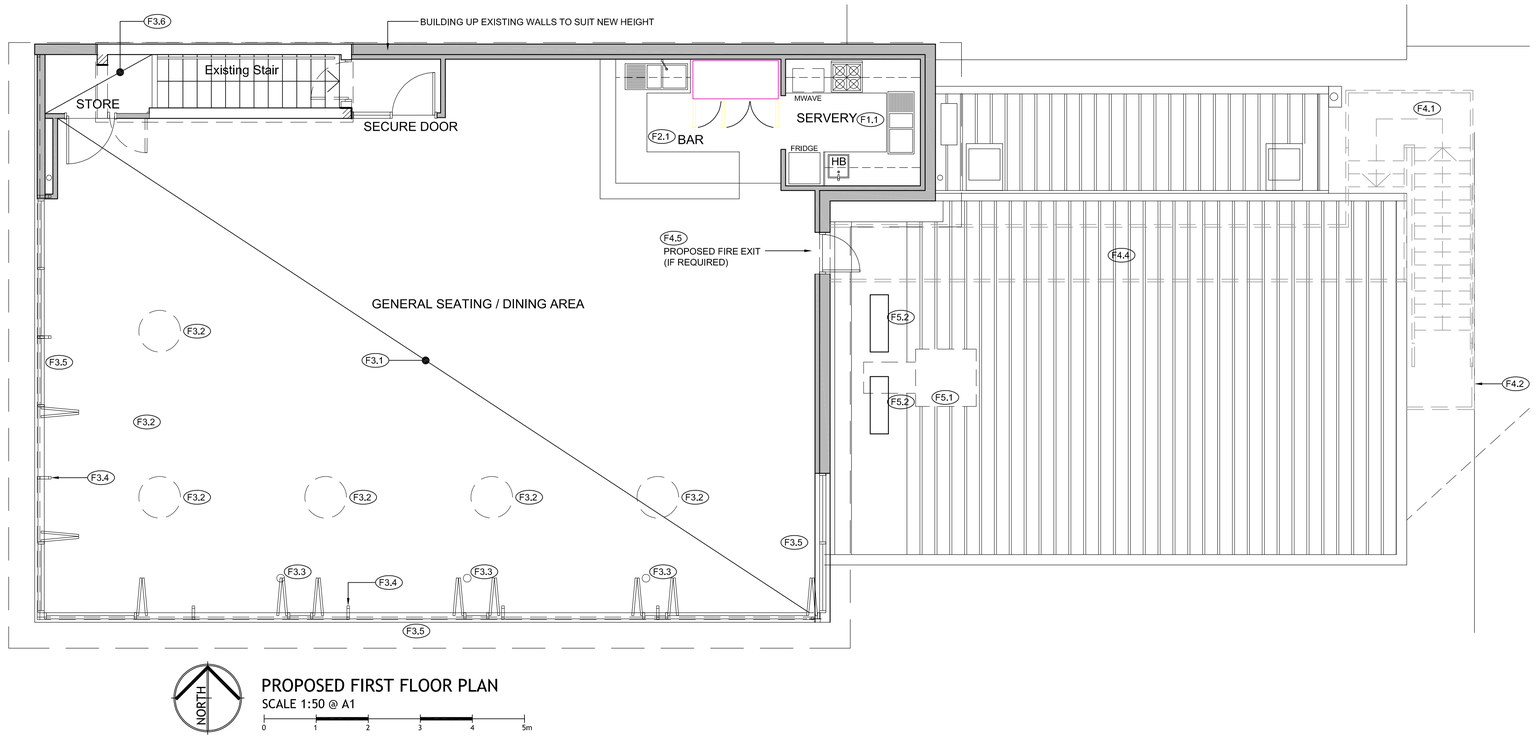
job #	dwg #	issue #
2021 2115	sk 05	A
date	scales	drawn by
13/08/21	as shown	SH

BUILDERS AND CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK AND PREPARING SHOP DRAWINGS. IF IN DOUBT ASK FOR CLARIFICATION.

PLOTTED: 13/01/22 8:49:08 PM



PROPOSED GROUND FLOOR PLAN
SCALE 1:50 @ A1





PROPOSED FIRST FLOOR PLAN
SCALE 1:50 @ A1

0 1 2 3 4 5m

SCOPE OF WORKS

MEN'S BATHROOM

G1.1 UPGRADE FACILITY GENERALLY. IMPROVE VENTILATION / EXHAUST AND LIGHTING. REPAINT ALL SURFACES.

G1.2 SCREEN EXISTING HIGH LEVEL GLASS BLOCKWORK WITH LOUVRED SCREEN OR SIMILAR.

G1.3 REMOVE COMMON URINAL. PROVIDE 2 OFF SCREENED URINAL STALLS WITH WALL HUNG URINALS.

G1.4 CONVERT 1 SHOWER CUBILCE INTO NEW PARTITIONED TOILET CUBICLE. REPLACE OTHER CUBICLE PARTITION TO MATCH.

G1.5 PROVIDE ADDITIONAL 720 LEAF DOORWAY AND PLASTERBOARD LINED STUD WALL TO CREATE NEW AIRLOCK.

WOMEN'S BATHROOM

G2.1 UPGRADE FACILITY GENERALLY. IMPROVE VENTILATION / EXHAUST AND LIGHTING. REPAINT ALL SURFACES.

G2.2 SCREEN EXISTING HIGH LEVEL GLASS BLOCKWORK WITH LOUVRED SCREEN OR SIMILAR.

G2.3 REPLACE VANITY UNIT WITH NEW BASINS, WALL MIRROR.

G2.4 CONVERT 1 SHOWER CUBILCE INTO NEW PARTITIONED TOILET CUBICLE. REPLACE OTHER CUBICLE PARTITION TO MATCH.

G2.5 INFILL EXISTING GAP IN WALL (HIGH LEVEL)

MAIN CLUB ROOM - GENERAL AREA

G3.1 REPLACE EXISTING WINDOWS WITH NEW FULLY-OPENABLE WINDOWS.

G3.2 NEW INSULATED ACOUSTIC CEILING, WITH INTEGRATED LED DOWNLIGHTING.

G3.3 LINE EXPOSED STRUCTURAL BEAMS

STAIR FOYER AREA

G4.1 REMOVE DOOR

G4.2 UPGRADE AREA IN FRONT OF G4.1 TO VISUALLY 'SEPARATE' FROM MALE W/C AIRLOCK

G4.3 ROLLER SHUTTER TO CLOSE OFF BOTTLE STORAGE, WITH BOTTLE STORE SHELVING BEHIND. KEEP ACCESS TO STORAGE UNDER EXISTING STAIR

G4.4 NEW INSULATED ACOUSTIC CEILING, WITH INTEGRATED LED DOWNLIGHTING.

G4.5 UPGRADE STAIRWELL GENERALLY, INCLUDING CARPET COVER AND NOSING TO TREADS. FIRE RATE UNDERSIDE OF EXISTING STAIRS

2ND FIRE EXIT STAIR (IF REQUIRED)

G5.1 STEEL FRAMED STAIR

G5.2 SECURE SCREENING / DOOR AROUND STAIR.

G5.3 EXISTING MAINS ELECTRICAL SUPPLY OVERHEAD. (APPROX. LOCATION - CONFIRM ON SITE)

MEN'S EXTERNAL BATHROOM

G6.1 UPGRADE FACILITY GENERALLY. IMPROVE VENTILATION / EXHAUST AND LIGHTING. REPAINT ALL SURFACES.

G6.2 NEW LOUVRED SCREEN OR SIMILAR TO ABOVE DOOR

WOMEN'S EXTERNAL BATHROOM

G7.1 UPGRADE FACILITY GENERALLY. IMPROVE VENTILATION / EXHAUST AND LIGHTING. REPAINT ALL SURFACES.

G7.2 NEW LOUVRED SCREEN OR SIMILAR TO ABOVE DOOR

EXTERNAL STORE

G8.1 REMOVE EXISTING HANDBASIN AND PAN. CAP ALL REDUNDANT SERVICES. MAKE GOOD ALL SURFACES AFFECTED BY WORKS.

G8.2 NEW LOUVRED SCREEN OR SIMILAR TO ABOVE DOOR

GROUND FLOOR BAR

G9.1 REMOVE EXISTING BAR. RETAIN ALL SERVICE FOR REUSE. NEW BAR JOINERY (FINISHES TO SELECTION)

FIRST FLOOR WORKS

NEW SERVERY

F1.1 NEW BENCHING AND OVERHEAD CUPBOARDS.
BLACK VINYL FLOORING. COVE 100mm UP WALLS AND JOINERY - TYPICAL
NEW SERVICES TO SUIT (BUT NOT LIMITED TO) THE FOLLOWING:
- SINK AND DRAINER
- HAND BASIN
- COOKTOP WITH OVEN UNDERNEATH
- RECIRCULATING RANGEHOOD OVER COOKTOP
- MICROWAVE
- UPRIGHT FRIDGE

NEW BAR

F2.1 NEW BAR JOINERY (FINISHED TO SELECTION)
OVERHEAD SHELVING TO NORTHERN WALL.
BLACK VINYL FLOORING. COVE 100mm UP WALLS AND JOINERY - TYPICAL
NEW SERVICES TO SUIT (BUT NOT LIMITED TO) THE FOLLOWING:
- SINK AND DRAINER
- NEW 3 DOOR UPRIGHT DISPLAY FRIDGE

GENERAL SEATING / DINING AREA

F3.1 NEW LEVEL SUBSTRATE, AND FLOOR COVERINGS.
REMOVE EXISTING FIXED DRYBARS.
CAP EXISTING FLOORTRAP IN EXISTING FLOOR

F3.2 REMOVE EXISTING FIXED DRYBARS.

F3.3 CAP EXISTING FLOORTRAP IN EXISTING FLOOR

F3.4 REMOVE EXISTING BALUSTRADE, INCLUDING BRACING

F3.5 NEW FULL HEIGHT WINDOWS, WITH BIFOLD WINDOWS.

F3.6 EXISTING STORE SIZE INCREASED.

2ND FIRE EXIT STAIR (IF REQUIRED - (SHOWN DASHED)

F4.1 STEEL FRAMED STAIR

F4.2 SECURE SCREENING AROUND STAIR.

F4.3 EXISTING MAINS ELECTRICAL SUPPLY OVERHEAD. (APPROX. LOCATION - CONFIRM ON SITE)

F4.4 WALKWAY AND ASSOCIATED BALUSTRADE OVER EXISTING ROOF TO FIRE STAIR

F4.5 PROPOSED FIRE EXIT

ROOF WORK

F5.1 REMOVE EXISTING EVAPORATIVE COOLER, AND ASSOCIATED DUCTWORK AND CEILING PENETRATIONS.
MAKE GOOD ROOF WHERE AFFECTED BY WORKS.

F5.2 NEW ROOF MOUNTED SPLIT SYSTEM CONDENSER UNITS. LOCATIONS OF INDOOR UNITS TO BE CONFIRMED.

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project

ALTERATIONS AND ADDITIONS TO THE WARRADALE TENNIS CLUB CNR OF CAIRNS AND GARDINER AVENUE, WARRADALE, SA, 5046

drawing title

Proposed Floor Plans

job #	dwg #	issue #
2021 2115	sk 04	B
date	scales	drawn by
16/08/21	as shown	SH

BUILDERS AND CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK AND PREPARING SHOP DRAWINGS. IF IN DOUBT ASK FOR CLARIFICATION.

Date 22/09/2021

Project: Warradale Tennis Club Upgrade Works

Dear Sir:

We are pleased to be able to submit to you our budget price to construct the above-mentioned project. Our Budget Price is based on the preliminary drawings prepared & site inspection.

1. **Documentation**
   - All design drawings and specification, engineering drawings and calculations.
   - All council approvals.
2. **Demolition**
   - We have allowed for demolition.
   - We have allowed to make good surfaces affected by the works.
3. **Structural steel**
   - We have allowed for structural steel purlins to form new roof structure.
4. **Roofing**
   - We have allowed for;
     - 0.42mm NextSTAR True Oak 21 corrugated iron roof sheeting on R1.3 blanket foil insulation.
     - Flashing & cappings.
     - Roof penetrations as required.
     - PVC downpipes.
5. **Metalwork**
   - We have allowed to supply & install aluminium louvres over nominated existing doors in standard powdercoat finish.
6. **Blockwork**
   - We have allowed to supply & install core-filled reinforced blockwork walls.
7. **Carpentry**
   - We have allowed to supply & install first fix roof carpentry.
8. **Aluminium Windows & Doors**
   - We have allowed to supply & fit;
     - Aluminium doors & windows in standard powdercoat finish.
     - Glazing to code.
     - Door hardware.
     - Alspec commercial double-glazed suite & Hawkesbury Bi-folding door suite.

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9. Doors & Sundry Hardware

- We have allowed to;
  - Supply & fit timber door to male toilet , timber frame & associated door hardware.
- We have allowed to supply & install sundry hardware.

10. Internal & External Linings

- We have allowed to construct;
  - 13mm thick flushed jointed plasterboard wall linings.
  - 13mm fire rated plasterboard lining under stairs.
  - Suspended t-bar ceilings on Rondo framing system with insulation to area nominated.
  - 10mm flushed plasterboard ceilings to ground floor wet areas.
  - 13mm plasterboard linings to beams.
  - We have allowed to make good ceilings and walls affected by the works.

11. Joinery

- We have allowed to;
  - Supply & install joinery to ground and first floor servery and bar in standard colour selections.

12. Toilet Partitions

- We have allowed to;
  - Supply & install 5 of 13mm compact laminate toilet partitions in Regent Series Aqualoo standard colour range.
  - Supply & install 2 Royal 900 modesty panels to male toilets.
  - Supply & install wall bench seating in 13mm compact laminate board in standard colour range.

13. Tiling

- We have allowed to supply & install wall and floor tiling including screeds and waterproofing to toilets.

14. Floor Finishes

- We have allowed to;
  - Supply and install Polyflor Polysafe Black Walnut commercial vinyl coved 100mm high with heat welded seams to first floor bar and servery
  - Supply and install Nolans Kachi carpet tiles to first floor.

15. Painting & Rendering

- We have allowed to;
  - Prepare & paint new nominated interior & exterior walls, ceilings, doors and frames.
  - Supply & install render finish to selected external walls.

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16. Electrical Services

- We have allowed to supply & install;
  - Lighting to male and female bathrooms.
  - Power point x 1 to male and female Bathroom for future hand dryers.
  - Downlights to bottom stairwell.
  - Downlights to downstairs.
  - Oven feed to upstairs.
  - Power point to range hood.
  - Power points x 14 upstairs.
  - Sensor and flood light to outside fire exit door if required.
  - 1 x television point upstairs.
  - Downlights to first floor.
  - 4 x pendants upstairs bar.
  - Led battens x 3 to storeroom.
  - Exit lights x 2 upstairs.
  - Emergency lights to first floor x 4.
  - Supply and install an aerial.
  - Replace lights only in outside entry toilets x 3.

17. Mechanical Services

- We have allowed to;
  - Supply and install toilet exhaust system to ground floor toilets.
  - Supply & install 2 of wall mounted wall split systems to first floor.

18. Hydraulic/Stormwater Services

- We have allowed to;
  - Locate and connect to existing sewer drain.
  - Alter existing drainage for new toilets.
  - Alter existing drains to new basins.
  - Install new drainage to wall hung urinals.
  - Install new drainage to level 1 Servery.
  - New sewer drainage to Male Female and disabled toilets.
  - New drainage to main bar.
  - Cut into existing sewer drain inground for new toilets.
  - Supply and install vent to roof from new drainage.
  - Supply and install new underfloor drainage to level 1.
  - All inground drainage in PVC.
  - Supply and install new floor gates.
  - Install tundish points for bar equipment.
  - Disconnect and cap and seal existing fixtures ready for new tiling.
  - Removal of excavated soil.

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- Concrete cutting and removal for new drainage and alter to existing.
- Core holes and fire collars.
- Supply and install hot and cold water to new basins.
- Supply and install hot and cold water to level 1 servery.
- Supply and install TMV valves to disable bathrooms toilets.
- Supply and install TMV valve to wash basins in bars.
- Supply and install isolation valves to bathrooms.
- Supply and install new shower mixers.
- Internal hot and cold water lines within the building will be in Pex 20 pipework.
- All major hot flow pipe work to be insulated with 19mm wall Armaflex.
- All minor hot water pipe work to be insulated with 13mm wall Armaflex.
- Cut into existing hot water system and install isolation valve to new bars and toilets.
- Disconnect and remove hot and cold water to fixtures.
- Disconnect and cap and seal hot and cold water.
- Cut into existing gas mains.
- Gas service to level 1 Servery gas cook top.
- Gas service in copper tube.
- Supply and install new sanitaryware and tapware to bathrooms.
- Supply and install new sinks to server and bars.
- Supply and install new wall hung urinal.
- Supply and install new sinks and tapware

19. Preliminaries

- We have allowed for;
  - Supervision, project management and administration.
  - Mobilisation.
  - Temporary fencing.
  - All works to be undertaken in one continuous stage.
  - All work to carried out in normal working hours, unless nominated otherwise.
  - Site amenities.
  - Power and water etc to be provided free of charge to builder by client.
  - Removal of our rubbish only.
  - Builder's clean up at the completion of our works.
  - Mutually agreed contract & conditions prior to commencement.
- Our quotation is commercial in confidence.
- This tender is based on current material prices. Please note due to the volatile nature of the construction industry at present our tender validity period is limited and subject to material price rises.
- Budget Quote is subject to Market increases and our standard terms and conditions. We cannot fix prices for the duration of this project.

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EXCLUSIONS:

No allowance for any services not mentioned above. No allowance for latent conditions, Council fees and charges, any engineers design or fees and inspection costs, any architectural fees, inspection or design costs, CITB levy, SAPN fees & charges, SA Water fees, Telstra service to property, Telstra fees & charges, gas (APA) utility fees or charges, any fees, costs or charges by ETSA or your energy retailer for supplying of temporary power. No allowance has been made for securities, retention or performance guarantees. No assumptions or allowances have been made for items not clearly detailed on the documents provided. No allowance for project specific Contract Works Insurance.

Note:

Practical completion is deemed to have been achieved once the owner has taken possession of site. Certificate of occupancy is the owner's responsibility. Prior to commencement on site we will require, a full set of all drawings in editable Auto-CAD format and editable PDF format, specification and other documents forming contract in electronic format as required (Microsoft Word, Excel, Adobe PDF, Auto- CAD) for our use in administration, construction, producing shop drawings and for us to provide you (if required by contract) with final As Built Drawings.

Terms and Conditions:

Progress payments to the full value of invoice to be paid 7 days from date of invoice. If payments are not received when due, we reserve the right to suspend all works on project until full payment made. Invoices for progress payments will be issued progressively. Acceptance of this quotation and conditions will be upon receipt of your official purchase order and written instructions to proceed and, if required, completion and acceptance of the relevant standard Master Builders Association Commercial Contract. Commencement of works on site is deemed by Andy's Building Services Pty Ltd that the client has accepted this quotation and the terms and conditions. If there is an inconsistency between these conditions and any part of the request for tender, drawings and specifications provided or the form of contract that it refers to, then these conditions, our quotation and scope of works shall prevail. Our tender submission is provided on the basis of this Scope of Works and the Scope of Works of our Contractors and Suppliers.

Progress Payments are to be made throughout this project and are subject to the Building and Construction Industry Security of Payment Act 2009 (SA)
All materials for the project, including those fixed on site will remain the ownership of Andy's Building Services Pty Ltd until all payments are made.

All variations to the contract works to be made in writing and shall be paid within 7 days from date of invoice. Builders margin of 10% and an administration fee of 5% apply to all variations. Variation costs will be submitted progressively when all related information and costs are received by us and in a reasonable timeframe. Variation costs will be deemed to be accepted, either by written acceptance or if no correspondence then within 14 days of our submission. A client verbal or written instruction to proceed with variation works on an urgent basis before costs can be priced, that are assessed as variation works by the builder is deemed that the client has accepted the costs relating to that variation. Hourly rate for additional works will be to the current Master Builders Association charge out rates schedule for our own labour.

We reserve the right to claim for goods or any deposit payment required by suppliers or contractors that are held off-site for the purpose of the project. Insurance will be provided for these items if required

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We trust the above is acceptable but please contact us with any queries. We look forward to working with you on this project. We thank you for the opportunity of quoting this project and trust this meets with your approval and assure you of our best attention at all times.

Budget Amount excluding GST	**$ 789,500.00**
GST 10%	**$ 78,950.00**
Total Budget Amount including GST	**$ 868,450.00**

Breakdown of Budget

First Floor Works	$ 458,500.00
• External stairs	$ 35,000.00
Total	$ 493,500.00

Ground floor Works

• Preliminaries (all areas)	$ 18,000.00
• Demolition (Main Area)	$ 12,000.00
• Ceilings (Main Area)	$ 33,600.00
• External Windows	$ 39,600.00
• Painting (Main Area)	$ 13,500.00
• Carpet (Main Area)	$ 8,500.00
• Electrical (Main Area)	$ 24,800.00
• Toilets Upgrade(all trades)	$ 140,500.00
• Air Conditioning	$ 5,500.00
Total	$ 296,000.00

Yours Faithfully,

Sulev A Suursaar
Managing Director.

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11.12 Code Amendment: Marion Road Urban Corridor	
Report Reference	GC211214R11.12
Originating Officer	Development Officer - Planning – Kai Wardle
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REPORT OBJECTIVE

To seek the Minister for Planning to place the Marion Road Urban Corridor Code Amendment (MRUCCA) on hold while Administration undertakes further analysis as recommended by the Planning and Development Committee.

REPORT HISTORY

Report Reference	Report Title
GC210914R11.5	Urban Corridor – Marion Road Code Amendment

EXECUTIVE SUMMARY

Recent investigations into the proposed Marion Road Urban Corridor Amendment have identified matters with respect to the proposed zoning which require further investigation. These include traffic, built form and land use character, 'strategic sites', and the suitability of a blanket approach to the zoning.

This issue was discussed at the Planning and Development Committee meeting on Tuesday 7 December, with the Committee resolving to recommend that Council request the Minister for Planning to place the Code Amendment on hold.

To enable further consideration of these matters it is recommended Council request the Minister for Planning to place the MRUCCA on hold.

RECOMMENDATION

That Council:

1. **Request the Minister for Planning place the Marion Road Urban Corridor Code Amendment on hold, primarily due to traffic concerns raised by the Department of Infrastructure and Transport.**
2. **Endorse Administration to undertake further analysis of specific sites along the proposed corridor and address feedback from the Department of Infrastructure and Transport.**

BACKGROUND

- Council previously investigated applying an Urban Corridor Zone along Marion Road during the Housing Diversity DPA, however this Zone was not implemented.
- Following implementation of the Planning and Design Code, Council restarted this process by submitting a Proposal to Initiate Code Amendment to the Minister.

DISCUSSION

During recent investigations into the proposed policy for the MRUCCA, staff met with representatives from the Department for Infrastructure and Transport (DIT) to discuss the potential impacts of rezoning Marion Road. DIT raised some concerns with the proposed Urban Corridor zoning, including existing high levels of traffic on Marion Road and raised the potential for different zoning strategies. It is also anticipated that the upcoming North-South Corridor (T2D project) along South Road is likely to cause additional traffic volumes on Marion Road during construction for approximately the next 10 years.

Staff have compared the circumstances of Marion Road with those of other roads which have been subject to similar Corridor-type Zones, including Churchill Road and Prospect Road, which has identified some differences in existing character, traffic volumes and development outcomes. Further staff analysis has also concluded that many of the 'strategic sites' along Marion Road which were considered as catalysts for the Urban Corridor Zone during the Housing Diversity DPA have now been developed.

The Planning and Development Committee considered a report from staff, at the 7 December 2021 PDC211207R7.2 – copy attached) meeting which detailed the above matters, noting some issues with a blanket approach to the proposed corridor zoning and resolving the following:

> *"The Committee recommends to Council to request the Minister for Planning hold the Marion Road Urban Corridor Code Amendment and ask Administration to undertake further analysis of specific sites along the proposed corridor."*

To enable further consideration of the proposed zoning, it is recommended Council request the Minister for Planning to place the MRUCCA on hold while further analysis is conducted by administration into these issues.

The further analysis will be presented to Council in early 2022.

ATTACHMENTS

1. Code Amendments Report to PDC - 7 December 2021 [**11.12.1** - 5 pages]

7.2 Code Amendments Update	
Report Reference	PDC211207R7.2
Originating Officer	Senior Policy Planner – David Melhuish
Corporate Manager	Manager Development and Regulatory Services - Warwick Deller-Coombs
General Manager	General Manager City Development - Ilia Houridis

REPORT HISTORY

Report Reference	Report Title
PDC210504R08	Code Amendments Update

REPORT OBJECTIVE

To provide Members with an update on recent and active Code Amendments, including facilitating a discussion at the Meeting regarding Marion Road zoning.

EXECUTIVE SUMMARY

At the 11 May 2021 General Council meeting, Council approved the initiation of four (4) Code Amendments. The list and status are outlined below:

Morphettville and Glengowrie Horse Related Activities

- Received Ministerial approval to proceed with the Code Amendment on 25 October 2021.
- Work on the Amendment and associated Community Engagement Plan has commenced.

Urban Corridor – Marion Road

- Currently awaiting Ministerial approval to proceed with the Code Amendment.
- Current work includes:
  - Discussions with council's traffic staff and a meeting with staff at the Department of Infrastructure and Transport.
  - An analysis of the zoning along main roads in other metropolitan areas.
  - Investigation of 'urban corridor' zoning as it was previously indicated versus new zones available under the Planning and Design Code.
- Committee to discuss Marion Road zoning opportunities.

Southern Suburbs Residential Policy

- Currently awaiting Ministerial approval to proceed with the Code Amendment.
- Current work includes:
  - A review of allotment sizes for properties within the Hills Neighbourhood Zone in other Council areas
  - Initial analysis of appropriate lot sizes for particular gradients of land

Centre Zones

- Letters seeking comments from the owners of the affected sites were sent out on 9 November 2021 (pre-engagement). Responses are required by 26 November 2021.
- Following consideration of any comments received, a draft 'Proposal to Initiate' will be created for the consideration of the Committee/Council.

A further update on each Code Amendment has been provided for the Committee's consideration in the report.

General Update

A letter received from the Executive Director of Planning and Land Use Services (PLUS), outlines a new process for charging applicants for a Code Amendment process where commercial gain can be expected (attached).

RECOMMENDATION

That the Planning and Development Committee:

1. **Notes the report.**
2. **Discusses options and opportunities in regards to Marion Road zoning, and considers whether any further recommendations should be made to Council.**

DISCUSSION

Morphettville and Glengowrie Horse Related Activities

- The 'Proposal to initiate' (a Code Amendment) document was approved by the Minister on 25 October 2021.
- Work on the Amendment and associated Community Engagement Plan has progressed.
- As a number of affected properties have small frontages, appropriate property dimensions will require consideration.

Urban Corridor – Marion Road (to be discussed at meeting)

- A draft 'Proposal to initiate' document was approved by Council on 14 September 2021.
- Council amended the study area to include Marion Road south to Sturt Road.
- The 'Proposal to initiate' document was forwarded to and received by Planning and Land Use Services (PLUS) via the planning portal on 16 September 2021.
- The availability of any existing traffic study information for Marion Road has been sought from the Department of Infrastructure and Transport (DIT) as it may be of use for Council in the undertaking of any further investigations into the impacts of an increase in densities and traffic generation on Marion Road.
- On 19 November 2021, Administration met with representatives from DIT to discuss the potential impacts of rezoning Marion Road.
- DIT raised some concerns with the proposed Urban Corridor zoning including existing high levels of traffic on Marion Road and potential for different zoning strategies.
- An initial analysis of the types of zoning along main roads (with similar characteristics to Marion Road) in other metropolitan areas, has been undertaken to help establish the most appropriate zone/s for Marion Road.
- Administration will facilitate a discussion about Marion Road zoning at the meeting.

Southern Suburbs Residential Policy

- Initial investigations regarding slope related information have been undertaken.
- A draft 'Proposal to initiate' document was approved by Council on 14 September 2021.
- The document was forwarded to and received by PLUS via the planning portal on 16 September 2021.

- An initial review of allotment sizes for properties within the Hills Neighbourhood Zone in other Council areas has been undertaken to help determine whether there is a common approach to the development of sloping land.
- An initial analysis of suitable lot sizes for particular gradients of land has commenced to ensure that appropriate planning outcomes can be achieved.

Centre Zones

- Following analysis undertaken as part of the Commercial/Industrial Zone Review, it was determined that there is an opportunity for Council to consider changing the zoning outcomes for some sites.
- Rezoning and/or realignment of zone boundaries could occur in some instances to address a variety of matters (e.g. site has been redeveloped, misalignment of zone boundary, need for a reduction/increase in zone boundary etc.).
- Prior to developing the Proposal to Initiate document a letter seeking comments from the owners of the affected sites has been sent out with responses requested by 26 November 2021.
- Following consideration of any comments received by Council, a draft 'Proposal to Initiate' will be created for the consideration of the Committee/Council.

General Update Comments

- It is unclear from the attached letter received from PLUS whether this new fee charging schedule affects any current Council-initiated Code Amendments.
- Administration is in the process of seeking more information and will communicate back to the Committee (or Council) with any relevant results.

ATTACHMENTS

1. Planning Code Amendments - City of Marion [**7.2.1** - 2 pages]

Government of South Australia
Attorney-General's Department

2021/13564/01

Planning & Land Use Services

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50 Flinders Street
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Adelaide SA

ABN 15 088 976 178

Tel 1800 752664

agd.sa.gov.au

19 November 2021

Mr Adrian Skull
Chief Executive Officer
City of Marion
PO Box 21
OAKLANDS PARK SA 5046

Via email: council@marion.sa.gov.au

Dear Mr Skull

As you would be aware, developers and other private bodies can now initiate Planning and Design Code Amendments to support private development.

In the past, this work would be done by local government or a delegate of the Minister for Planning and Local Government on a cost recovery basis.

To ensure these Amendments can be progressed in a timely manner, and recognising the significant level of resources required by Planning and Land Use Services of the Attorney-General's Department to oversee them, a new fee structure will be implemented from 25 November 2021. This is being done on a purely cost-recovery basis and will only apply to commercial Amendments initiated by private developers, councils or government agencies where there is expected to be a commercial gain.

For your information, the new fees to be charged are as follows:

> ***Lodgement Fee ($5,500)***: a flat fee charged to all proponent-initiated Code Amendments, to be charged at the point of submission of the proposal to initiate.
>
> ***Consultation Fee ($8,700)***: to cover preparation of mapping on the SA planning portal (Portal), establishment of the online consultation form and publication of the consultation on the Portal page. It also includes a compliance check if conditions were placed on initiation that related to consultation (or required prior to consultation).
>
> ***Determination Fee ($8,400)***: to recover administrative costs associated with the final evaluation of the proposal.
>
> ***Implementation Fee ($9,800)***: if the Amendment is approved, this fee would cover administrative functions required to implement the Code Amendment and bring the changes into effect, including deployment into the online Code, the SA Property and Planning Atlas and the Portal.

In total, the full fee to be charged over the course of a successful Amendment would be $32,400 – which is comparable to the fee that had previously been charged by some councils, as well as the fees attracted by similar work in other jurisdictions.

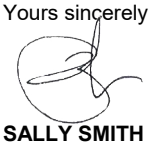
The Chief Executive of the Attorney-General's Department has the authority to waive or discount fees where appropriate, and a copy of the Fees Policy will be published online.

Where a Code Amendment is already in train, the fee structure will come into effect from the next milestone (in other words, a developer with an amendment out to consultation will not be charged a consultation fee, but will be charged a determination fee and implementation fee if applicable).

Planning and Land Use Services will also be producing new service standards that support a faster, more transparent process for the assessment of these Code Amendments.

If you require more information, please go to the Portal at https://plan.sa.gov.au/have_your_say/general_consultations.

Yours sincerely



SALLY SMITH
EXECUTIVE DIRECTOR
PLANNING AND LAND USE SERVICES

12 Corporate Reports for Information/Noting

12.1 Southern Soccer Facility opening event	
Report Reference	GC211214R12.1
Originating Officer	Public Relations Officer – Pia Vogrin
Corporate Manager	Manager Customer Experience - Megan Bradman
General Manager	General Manager Corporate Services - Sorana Dinmore

REPORT HISTORY

Report Reference	Report Title
GC211026R10.9	Sam Willoughby BMX Track opening event options

REPORT OBJECTIVE

The purpose of this report is to provide a progress update of the Southern Soccer facility opening event options and budget.

EXECUTIVE SUMMARY

On Tuesday, 12 October 2021, Council resolved to:
'Note that the General Council meeting on 14th December 2021, will receive a report detailing a full budget and run sheet for a proposed March 2022 Southern Soccer complex opening (GC211012R11.6)

On Tuesday, 26 October 2021, Council resolved as part of the Sam Willoughby BMX Track Opening Event report to:
"(4) Re-allocate the remaining $10,000 from the $59,000 Concert at the Cove budget as part of 2021/2022 annual business plan towards an opening event at the Southern Soccer facility in March 2022"

Discussions have been held with the relevant stakeholders in relation to this event. The details necessary to prepare a draft run sheet and budget will not be firmed up until January 2021 It is therefore proposed that Council be provided with these further details in February 2022.

RECOMMENDATION

That Council:

1. **Notes that a draft run sheet and budget for an opening event activation at the Southern Soccer facility in March 2022 will be provided to Council in February 2022.**

ATTACHMENTS

Nil

12.2 CCTV to Combat Reserve Dumping	
Report Reference	GC211214R12.2
Originating Officer	Unit Manager Operational Support – Roger Belding
Corporate Manager	Manager Operations - Russell Troup
General Manager	General Manager City Services - Tony Lines

REPORT HISTORY

Report Reference	Report Title
GC210525F02	City of Marion's Residential Hard Waste and Dumped Rubbish Service

REPORT OBJECTIVE

To update Council on the use of CCTV in public space reserves to combat illegal dumping.

EXECUTIVE SUMMARY

At the General Council Meeting on 25 May 2021 (GC210525F02) Council was provided details of the City of Marion's Residential Hard Waste and Dumped Rubbish Service. A portion of this report was dedicated to the trial use of CCTV within public space reserves. Council requested that an update report be provided to detail the outcomes of this initiative, to be provided in December 2021.

RECOMMENDATION

That Council:

1. **Notes the report.**

BACKGROUND

As detailed within General Council Report on 25 May 2021 (GC210525F02), it has been several years since Marion partnered with the EPA in application of CCTV to dumping hot spot locations within Marion. As a result of this partnership Council purchased a set of cameras to assist with investigations and to combat dumping.

DISCUSSION

In April 2021, cameras were deployed within Capella Reserve. At this time signage was also applied to this and other reserves, informing that CCTV would be in use (Attachment 1).

During this placement it was identified that the cameras were not working as expected, with a need to seek technical assistance to update software and upgrade to a 4G network format.

These repairs have taken some time to resolve with cameras rotated and now reinstated within Rajah and Harbrow Reserves as of November 2021. Attachment 2 provides a site review of the placement in Rajah Reserve.

Reserves included within the initiative are Capella, Harbrow, Rajah and York Avenue, as well as Wilcox Street Biodiversity site.

Since placement of signage in April and May 2021, there has been no reported dumpings at any of the sites. In addition, the Wilcox Biodiversity site had previously experienced regular incidents

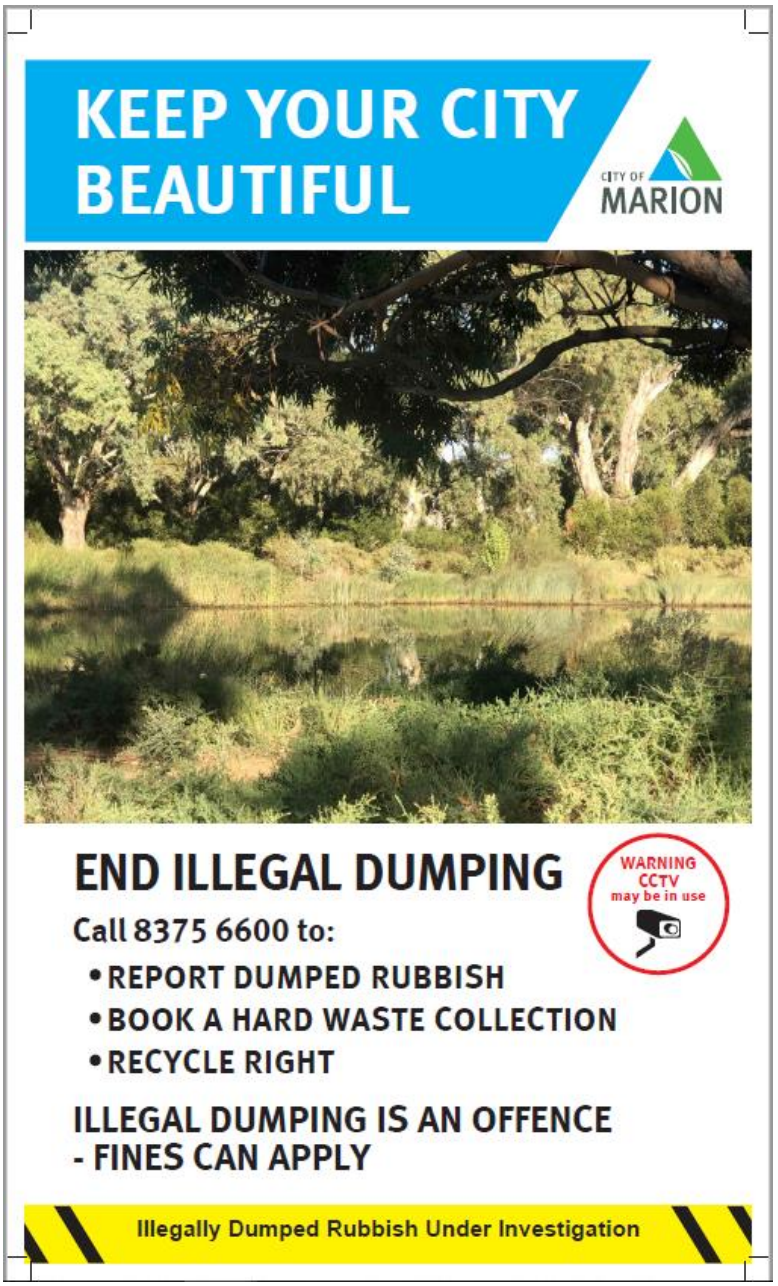
where non-compliant mulch was being dumped in commercial quantities on a regular basis. Since placement of signage, we have experienced no re-occurrence.

An overview of actions applied to this initiative is provided at Attachment 3.

ATTACHMENTS

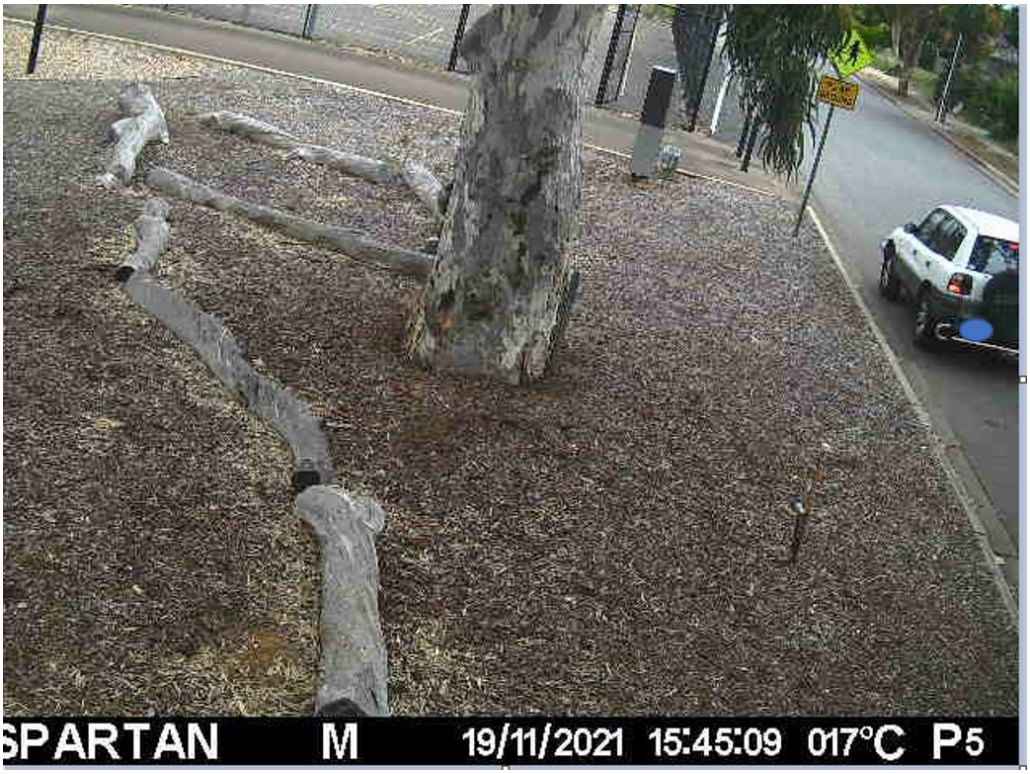
1. Attachment 1 Example of Signage [**12.2.1** - 1 page]
2. Attachment 2 CCTV Placement [**12.2.2** - 1 page]
3. Attachment 3 CCTV Actions [REVV] [**12.2.3** - 1 page]

Attachment 1



Example of signage/messaging that has been placed to compliment use of cameras at selected Reserves

Attachment 2
CCTV Placement Rajah Reserve





Actions Applied - Use of CCTV in Open Space Reserves

Reserve / Location	Actions Applied
Capella Reserve	**April 2021** • Placement of Signage 'CCTV in use' • Placement of Camera (CCTV) Units to trees within reserve • Weekly site patrols by SCI's (Community Safety Inspector's) **May 2021** • Cameras (CCTV) removed as identified not capturing footage requiring upgrade **April 2021 and Ongoing** • Fortnightly maintenance inspections by Open Space Reserve Maintenance • No dumping reported since placement of signs
Harbrow Reserve	**March 2021** • Minor dumping incident investigated by CSI's **April 2021** • Placement of Signage 'CCTV in use' **November 2021** • Placement of CCTV Units to trees within reserve **April 2021 and Ongoing** • Fortnightly maintenance inspections by Open Space Reserve Maintenance • No dumping reported since placement of signs
Rajah Reserve	**April 2021** • Placement of Signage 'CCTV in use' **November 2021** • Placement of CCTV Units to trees within reserve **April 2021 and Ongoing** • Fortnightly maintenance inspections by Open Space Reserve Maintenance • No dumping reported since placement of signs
York Avenue Reserve	**April 2021** • Placement of Signage 'CCTV in use' **April 2021 and Ongoing** • Fortnightly maintenance inspections by Open Space Reserve Maintenance • 6 x site inspections undertaken by Community Safety • No dumping reported since placement of signs
Wilcox Street Biodiversity Site	**January to March 2021** • Multiple incidents of commercial quantities of non-compliant dumped mulch reported by the Open Space Biodiversity Team **April 2021** • Placement of Signage 'CCTV in use' **April 2021 and Ongoing** • Maintenance inspections undertaken every Three Weeks by Open Space Biodiversity Team • No dumping reported since placement of signs

12.3 Corporate and CEO KPI Report Quarter One 2021/22	
Report Reference	GC210810R12.3
Originating Officer	Unit Manager Governance and Council Support – Victoria Moritz
Corporate Manager	Manager Office of the CEO - Kate McKenzie
General Manager	Chief Executive Officer - Tony Harrison

REPORT OBJECTIVE

To advise the Council of the results of the CEO and Corporate KPI's for quarter one 2021-22.

EXECUTIVE SUMMARY

Monitoring performance of the Corporate and CEO KPI's is critical for ensuring that the Council is contributing to the achievement of its objectives in both the Strategic Plan and the 4-Year Business Plan 2019-2023.

Details of the Quarter One results are provided in Appendices 1-4. This report also includes the final results for the following 2020/21 KPI's:

- 1 – Financial Sustainability
- 3 – Total Employee Costs
- 5 – Asset Renewal Funding Ratio
- 6 – Deliver of Council's Capital Works Program

For the Quarter One Results (with the exception of the KPI's with an Annual Measure), Council achieved the Core Target with the exception of the following two:

- **Staff Engagement -** The result was 59%. The data for 2021-22 includes a target to include at least 50% employee participation per senior leadership team department. The breakdown of the results are shown in the attachments.

- **Asset Utilisation of Sports and Community Venues** - this is an additional KPI that is being reported on for the 2021-22 Financial Year. For quarter one, the result was 51% for venue utilisaiton across community and sporting clubs.

RECOMMENDATION

That Council:

1. **Notes this report and information contained within the attachments for Quarter One 2021/22.**

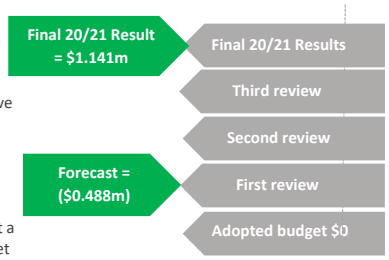
ATTACHMENTS

1. Attachment 1 KPI Overview [**12.3.1** - 2 pages]
2. Attachment 2 KPI Summary [**12.3.2** - 1 page]
3. Attachment 3 FTE Employees Staff and Agency [**12.3.3** - 1 page]
4. Attachment 4 Labour and FTE Movement Summary 8BBS [**12.3.4** - 1 page]

CHIEF EXECUTIVE OFFICER and CORPORATE KEY PERFORMANCE INDICATORS 2021/22
QUARTER ONE: JULY '21 – SEPT '21 - ATTACHMENT 1

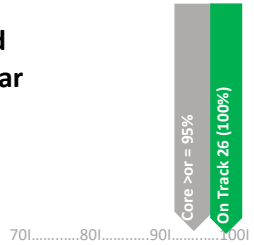
1 Financial Sustainability

Core target: Council maintains, on average a break even or better funding (cash) position over the Long-Term Financial Plan
Stretch target: Council maintains a break-even or positive position in delivering its Annual Budget.
Measure: This target compares funding cash position at the relevant budget review with the adopted budget figure.
Final Result 20/21 Result: $1.141m
Q1 Result: The result of the first budget review forecast a deficit of ($0.488m). The core target is forecast to be met with a surplus of $5.278m over the ten years of the LTFP.



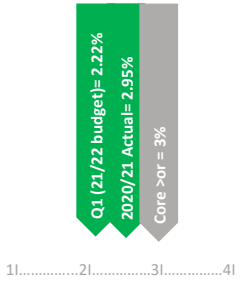
2 Delivery of agreed projects identified in ABP and third year targets in 4-year

Core target: Greater than or equal to 95%
Measure: Monthly data as at 30 September 2021
Result: 100% - 26 projects are on track (including 1 deferred project)



3 Total Employees Costs

Core target: Less than or equal to 3% increase in actual employee costs (including agency staff) against prior year's actual costs – adjusted for Council endorsed changes to meet resourcing requirements.
Stretch target: Less than or equal to 2% increase in actual employee costs (including agency staff) against prior year's actual costs – adjusted for Council endorsed changes to meet resourcing requirements.
Q1 result: the 2021/22 budget is $39.912m which is a 2.22% increase over the 2021 audited result after adjusting for council endorsed changes and additional grant funded positions.
Audited Result 20/21: Employee costs for 2020/21 were $38.239m which is a 4.79% increase over the 2019/20 result. After adjusting for council endorsed changes, this figure is adjusted down to 2.95% which is within the core target of between 2% and 3%



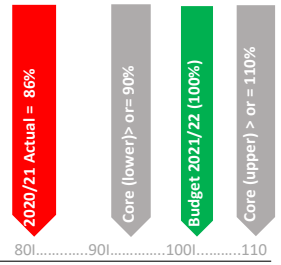
4 Overall Satisfaction with Council's performance

Core target: Greater than or equal to 75% rated as satisfied or above.
Stretch target: Greater than or equal to 85% rated as satisfied or above.
Measure: Community Survey
Result: This is an annual measura and a figure will be provided at the end of the 2021-22 financial year.

5 Asset Renewal Funding Ratio

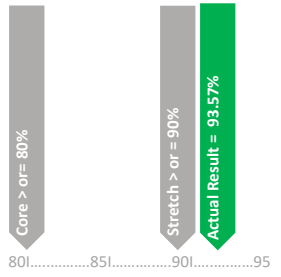
Core target: Asset Renewal Funding Ratio between 90 and 110%
Stretch target: Asset Renewal Funding Ratio equal to 100% over the ten year long term financial plan
Audited Result 20/21: The actual result for 2020/21 was 86%.
Q1 - This is an Annual measure and is budgeted to achieve 100% which is within the core target.

The *Asset Renewal Funding Ratio* indicates whether Council is renewing or replacing existing assets at the rate of consumption.



6 Delivery of Council's Capital Works

Core target: Greater than or equal to 85% delivery of Council's planned capital works program (adjusted for extraordinary items)
Stretch target: Greater than or equal to 90% delivery of Council's planned capital works program (adjusted for extraordinary items)
Audited Result 2020/21: Completion of 93.57%
Q1 This is an Annual measure

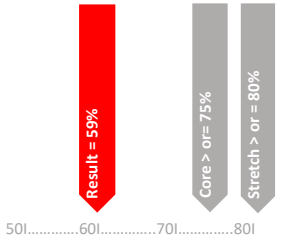


CEO and CORPORATE KEY PERFORMANCE INDICATORS 2021/22 – QUARTER ONE: JULY '21 – SEPT '21

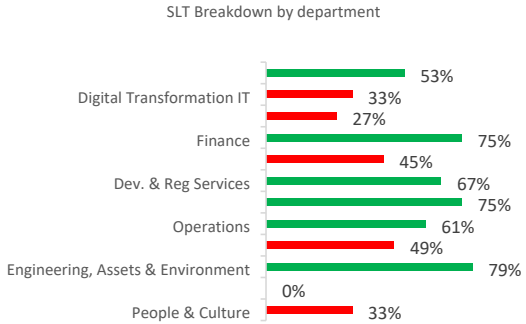
CHIEF EXECUTIVE OFFICER KEY PERFORMANCE INDICATORS 2021/22
QUARTER ONE: JULY '21 – SEPT '21 - ATTACHMENT 1

7 Staff Engagement

Core target: Achievement of an overall employee pulse survey result of 75%, based on 9 metrics with at least 50% employee participation per SLT department
Stretch target: Achievement of an overall employee survey result of 80% with at least 50% participation per SLT department
Measure: Staff Teamgage survey results.
Result: 59% Response Rate

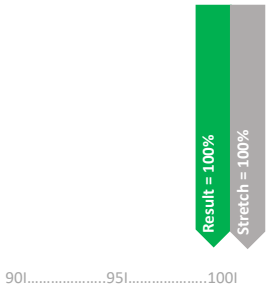


*Note: The Teamgage employee engagement tool is now being utilised, based on 9 metrics (including Communication, Leader Support, Collaboration, Resources, Integrity, Respect, Innovation, Safety and Wellbeing).



8 Community Engagement / Communications

Core target: Project specific communications to the public should be timely and accurate
Stretch target: 100%
Measure: Based on feedback received on project specific distributed communications.
Result: 100% - There were seven pieced of project specific communications distributed during the Q1 period.

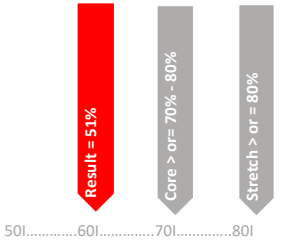


9 Carbon Neutrality

Core target: Actual annual emissions less than the plan's annual target emissions
Stretch target: Actual annual emissions 5% less than the plan's annual target emissions.
Measure: Carbon emissions footprint, measured against Council's endorsed Carbon Neutral Plan
Result: This is an annual measuere and the result will be provided at the end of the 21/22 Financial Year.

10 Asset Utilisation of Sports and Community Venues

Core target: 70-80% utilisation across venues (through the booking system)
Stretch target: Greater than 80% across venues (through the booking systesm)
Measure: Monthly data as at 30 September 2021 based on core hours of buisness
Result: 51% for venue utilisation across community and sporting clubs.



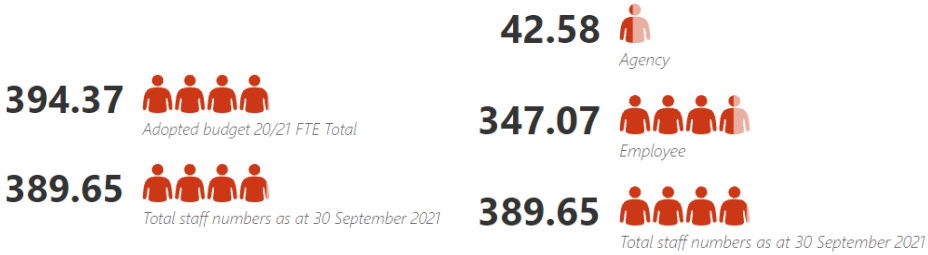
Corporate and CEO KPI Report Quarter One 2021/22 – ATTACHMENT 2

KPI	Details	Core Target	Stretch Target	Qtr 4 (Final)	Qtr 1	Qtr 2	Qtr 3	Qtr 4
1	Financial sustainability.	Council maintains, on average a break even or better funding (cash) position over the Long Term Financial Plan	Council maintains a break-even or positive cash funding position in delivering its Annual Budget	$1.141m	($0.496m) (forecast)			
				The Final result for 20/21 is $1.141m – the Stretch Target was met 2020/21. The result of the first budget review forecast a deficit of ($0.488). The core target is forecast to be met with a surplus of $5.278m over the ten years of the LTFP. The Core Target is forecast to be met.				
2	Delivery of agreed projects identified in the *Annual Business Plan* and the third year targets in the four-year plan.	Greater than or equal to 95%	No Stretch Target	NA	100%			
				100% - 26 projects are identified as being on track. This includes 1 project that has been deferred. 1 project is off track. The Core Target has been met.				
3	Total employee costs (inc agency).	Less than or equal to 3% increase in actual employee costs (including agency staff) against prior year's actual costs – adjusted for Council endorsed changes to meet resourcing requirements	Less than or equal to 2% increase in actual employee costs (including agency staff) against prior year's actual costs – adjusted for Council endorsed changes to meet resourcing requirements	2.95% increase	2.22% (21/22 budget)			
				Q1 Result: The 2021/22 budget is $39.912m which is a 2.22% increase over the 2021 audited result after adjusting for council resolutions and additional grant funded positions. **Final Audited:** Employee costs for 2020/21 were $38.239m which is a 4.79% increase over the 2019/20 result. After adjusting for council endorsed changes, this figure is adjusted down to 2.95% which is within the core target of between 2% and 3%.				
4	Overall Satisfaction with Council's performance	Greater than or equal to 75% rated as satisfied or above	Greater than or equal to 85% rated as satisfied or above	NA	Annual Measure			
				This is an annual measure and a figure will be provided at the end of the 2021-22 financial year.				
5	Asset Renewal Funding Ratio	Asset Renewal Funding Ratio between 90 and 110%	Asset Renewal Funding Ratio greater than or equal to 100%	86% (audited)	Annual Measure			
				This is an annual measure and is budgeted to achieve 100% which is within the core target.				
6	Delivery of Council's capital works program.	Greater than or equal to 85% delivery of Council's planned capital works program (adjusted for extraordinary items)	Greater than or equal to 90% delivery of Council's planned capital works program (adjusted for extraordinary items)	93.57%	Annual Measure			
				The Audited result for 2020/21 was a completion of 93.57%. This is an annual measure.				
7	Staff Engagement	Achievement of an overall employee pulse survey result of 75% based on 9 metrics with at least 50% employee participation per SLT department.	Achievement of an overall employee pulse survey result of 80% with at least 50% participation per SLT department.	NA	59%			
				Staff Teamgage survey results returned a 59% response rate. The Core target has not been met.				
8	Community engagement / communications	Project specific communications to the public should be timely and accurate	100%	NA	100%			
				The result for Q1 was 100%. There were seven pieces of project specific communications distributed to the Community. None of these were recorded as inaccurate or untimely.				
9	Carbon Neutrality – carbon emissions footprint, measured against Council's endorsed Carbon Neural Plan (applicable 2021/22 onwards	Actual annual emissions less than the plan's annual target emissions	Actual annual emissions 5% less than the plan's annual target emissions	NA	Annual Measure			
				This is an annual measure and the result will be provided at the end of the 21/22 Financial Year.				
10	Asset utilisation of Sports and Community venues	70-80% utilisation across venues (through the booking system)	Greater than 80% across venues (through the booking system)	NA	51%			
				The result of Q1 was 51% for venue utilisaiton across community and sporting clubs. The Measure is based on core hours of business. The Core Target has not been met.				

ATTACHMENT 3

FULLTIME EQUIVALENT (FTE) EMPLOYEE AGENCY

The number of FTE employees (staff and agency) employed across the organisation as at 30 September 2021.



There are currently 15 temporary vacant positions comprised of:

- Recruitment in progress (required position) 10
- Currently under review 2
- Vacant required position 3

The following tables provide comparative FTE data with the Gap Year Team Members, Pool Staff, and Grant Funded positions being excluded.



ATTACHMENT 4

LABOUR AND FTE MOVEMENT SUMMARY

	2021/22 $000's	2020/21 $000's	2019/20 $000's	2018/19 $000's	2017/18 $000's	2016/17 $000's	2015/16 $000's	2014/15 $000's	2013/14 $000's
Total Employee Costs (including Agency)	**39,912**	**38,238**	**36,487**	**34,861**	**33,274**	**32,221**	**31,783**	**31,757**	**31,532**
% Movement on Prior Year	**4.37%**	**4.79%**	**4.66%**	**4.77%**	**3.27%**	**1.40%**	**0.10%**	**0.70%**	**4.30%**
Total Number of Employees (FTE as at 30 June)	**392***	**370**	**358**	**365**	**360**	**344**	**342**	**348**	**351**
% Movement on Prior Year	**5.95%**	**3.35%**	**-1.9%**	**1.38%**	**4.80%**	**0.60%**	**-1.70%**	**-0.90%**	**-2.20%**

5-Year average FTE to June 2021 359.4

*YTD as at 30 September 2021 including seasonal increase for Marion Outdoor Pool

13 Workshop / Presentation Items - Nil

14 Motions With Notice - Nil

15 Questions With Notice - Nil

16 Motions Without Notice

17 Questions Without Notice

18 Confidential Items

18.1 Cover Report - Local Roads and Community Infrastructure Phase 3 funding options - Rescission Motion	
Report Reference	GC211214F18.1
Originating Officer	Chief Executive Officer – Tony Harrison
Corporate Manager	N/A
General Manager	N/A

REASON FOR CONFIDENTIALITY

Local Government Act (SA) 1999 S 90 (2) 3

(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest

RECOMMENDATION

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Office of the CEO, Chief Finance Officer, Unit Manager Governance and Council support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Local Roads and Community Infrastructure Phase 3 funding options - Rescission Motion, 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 confidential commercial information of projects in relation to information regarding project costings.

18.2 Cover Report - South Adelaide Basketball Club Proposal and 262 Sturt Road Precinct Plan	
Report Reference	GC211214F18.2
Originating Officer	City Activation Senior Advisor – Brett Grimm
Corporate Manager	Manager City Activation - Charmaine Hughes
General Manager	General Manager City Development - Ilia Houridis

REASON FOR CONFIDENTIALITY

Local Government Act (SA) 1999 S 90 (2) 3

(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest

RECOMMENDATION

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Office of the Chief Executive, Manager City Activation, Manager City Property, Chief Financial Officer, City Activation Senior Advisor, Unit Manager Sport & Recreation Facilities, Communications Advisor, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to South Adelaide Basketball Club Proposal and 262 Sturt Road Precinct Plan, 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 from a third party along with reference to a current confidential item within the same precinct.

18.3 Cover Report - Coastal Walkway Update	
Report Reference	GC211214F18.3
Originating Officer	Coordinator Coastal Walkway – Alex Cortes
Corporate Manager	Manager City Activation - Charmaine Hughes
General Manager	General Manager City Development - Ilia Houridis

REASON FOR CONFIDENTIALITY

Local Government Act (SA) 1999 S 90 (2) 3

(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest
(k) tenders for the supply of goods, the provision of services or the carrying out of works

RECOMMENDATION

That pursuant to Section 90(2) and (3)(d)(i)(ii) and (k) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the CEO, Chief Financial Officer, Manager City Activation, Coastal Walkway Coordinator, Unit Manager Governance and Council Support, Communications Advisor and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Coastal Walkway Update, 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 yet to be finalised tender outcomes and commercial expenditure.

19 Other Business

20 Meeting Closure

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