

**MINUTES OF THE GENERAL COUNCIL MEETING  
HELD AT ADMINISTRATION CENTRE  
245 STURT ROAD, STURT  
ON TUESDAY 24 JANUARY 2017**

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**PRESENT**

His Worship the Mayor Kris Hanna

**Councillors**

**Coastal Ward**

Ian Crossland  
Tim Gard

**Southern Hills**

Janet Byram  
Nick Westwood

**Warriparinga Ward**

Luke Hutchinson  
Raelene Telfer

**Mullawirra Ward**

Jason Veliskou (from 6.37pm)  
Jerome Appleby

**Warracowie Ward**

Bruce Hull

**Woodlands Ward**

Tim Pfeiffer (from 6.37pm)  
Nick Kerry

**In Attendance**

Mr Adrian Skull  
Mr Vincent Mifsud  
Ms Abby Dickson  
Mr Tony Lines  
Ms Jaimie Thwaites  
Ms Yvette Zaric

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

**COMMENCEMENT**

The meeting commenced at 6.33pm.

**KAURNA ACKNOWLEDGEMENT**

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

**DISCLOSURE**

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

## **ELECTED MEMBER'S DECLARATION OF INTEREST**

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

Nil

## **CONFIRMATION OF MINUTES**

**6.34pm Moved Councillor Telfer, Seconded Councillor Hutchinson** that the minutes of the General Council Meeting held on 13 December 2016 taken as read and confirmed.

**Carried Unanimously**

## **DEPUTATIONS**

**6.34pm Deputation – Asset Optimisation of Council Property – Vacant Land - Louise Avenue Reserve**

**Mr Peter Thomson**

**Report Reference: GC240117D01**

Mr Peter Thomson provided a deputation to Council in relation to the future use of Louise Avenue Reserve Report Reference GC240117R03, Appendix 4.

6.37pm Cr Pfeiffer entered the meeting

6.37pm Cr Veliskou entered the meeting

6.39pm Cr Hull left the meeting

6.39pm Cr Hull re-entered the meeting

## **PETITIONS**

**6.42pm Petition – Preservation of the Nannigai Reserve Playspace and Tennis Court**  
**Report Reference: GC240117P01**

**Moved Councillor Crossland, Seconded Councillor Byram** that Council:

1. Notes the petition and comments provided by Administration.
2. Requests the head petitioner be advised that Council has noted the petition.
3. Notes further consideration to directions for the tennis courts, playspace and toilet block at Nannigai Reserve will occur at the 28 February 2017 General Council meeting.

**Carried Unanimously**

## **COMMITTEE RECOMMENDATIONS**

**6.45pm Confirmation of the Minutes for the Finance and Audit Committee Meeting held on 15 December 2016**  
**Report Reference: GC240117R01**

**Moved Councillor Telfer, Seconded Councillor Hutchinson** that Council:

1. Receives and notes the minutes of the Finance and Audit Committee meeting of 15 December 2016 (Appendix 1).
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance and Audit Committee.

**Carried Unanimously**

## **WORKSHOP / PRESENTATION ITEMS**

Nil

## **CORPORATE REPORTS FOR DECISION**

**6.46pm Final Draft Open Space Policy**  
**Report Reference: GC240117R02**

**Moved Councillor Veliskou, Seconded Councillor Crossland** that Council:

1. Adopts the final Open Space Policy as provided in Appendix 1.

**Carried Unanimously**

**6.46pm Asset Optimisation of Council Property**  
**Report Reference: GC240117R03**

**Moved Councillor Telfer, Seconded Councillor Byram** that Council:

1. Declares that the retention of the land known as:
  - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397.
  - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135.
  - Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.

do not contribute to Council's strategic objectives and are surplus to Council's requirements and subject to Ministerial approval, the net sale proceeds will be paid into the Open Space Reserve Fund.

2. Endorses an allocation of up to \$30,000 for Administration to undertake further site investigations by a qualified consultant into the potential contamination of the land known as
  - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397.
  - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135.
  - Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.
  - Oliphant Court Reserve at Allotment 23 in Deposited Plan 5712, Certificate of Title Volume 2652 Folio 17.
3. Endorses an allocation of up to \$7,800 for Administration to undertake consultation and bring a report to Council for consideration of the outcome of the public consultation under Section 194(2)(b) of the Local Government Act 1999 for the potential disposal of:
  - Luke Court Reserve at Allotment 58 in Deposited Plan 10466, Certificate of Title Volume 5552 Folio 397
  - Louise Avenue Reserve at Allotment 31 in Deposited Plan 6514, Certificate of Title Volume 2284 Folio 135
  - Ranger St Reserve at Allotment 535 in Deposited Plan 9597, Certificate of Title Volume 5110 Folio 876.
4. Resolves to allocate additional funds of up to \$37,800 required for site investigations and community consultation through the 2016/17 second budget review process, noting that these additional costs will be offset should the sale of properties proceed.
5. Requires Administration to bring a report to Council for consideration of disposal subject to the outcome of potential soil contamination of Oliphant Court Reserve at Allotment 23 in Deposited Plan 5712, Certificate of Title Volume 2652 Folio 17.

**Carried**

**6.55pm Playspace Framework**  
**Report Reference: GC240117R04**

6.57pm Cr Veliskou left the meeting

6.58pm Cr Veliskou re-entered the meeting

**Moved Councillor Gard, Seconded Councillor Kerry** that Council:

1. Endorses the draft Playspace Policy including the proposed standardised palette approach and draft Playspace Service Levels as provided in Appendix 1 and Appendix 2, except that the term 'Playground' shall be used instead of 'Playspace'.
2. Endorses community consultation on the draft Playspace Policy and draft Playspace Service Levels for a three week period in February 2017.
3. Notes the final Playspace Policy and Playspace service levels will be presented to Council as part of the Playspace Framework for consideration and adoption in March 2017.

**Amendment:**

**Moved Councillor Veliskou, Seconded Councillor Pfeiffer** that Council

1. Endorses the draft Playspace Policy including the proposed standardised palette approach and draft Playspace Service Levels as provided in Appendix 1 and Appendix 2, except that the term 'Playground' shall be used instead of 'Playspace', with the following amendments:
  - Neighbourhood level and above include consideration of shade over playground equipment.
2. Endorses community consultation on the draft Playspace Policy and draft Playspace Service Levels for a three week period in February 2017.
3. Notes the final Playspace Policy and Playspace service levels will be presented to Council as part of the Playspace Framework for consideration and adoption in March 2017.

7.12pm Cr Hutchinson left the meeting

7.18pm Cr Hutchinson re-entered the meeting

The amendment was **Carried**  
The motion as amended was **Carried Unanimously**

**7.22pm Oaklands Round House Demotion Costs**  
**Report Reference GC240117R05**

**Moved Councillor Crossland, Seconded Councillor Westwood** that Council:

1. Notes the report.
2. Resolves to allocate funds of up to \$78,500 for demolition and site works required to demolish the Round House.
3. Resolves to fund the \$78,500 demolition cost from the second budget review process.
4. Notes that a further report will be presented to Council in February 2017 on concept designs and estimated costs for Stage 2 of the Recreation Plaza and the area occupied by the Round House.

**Carried**

**Councillor Hull called for a division:**

**Those For:** Councillors Pfeiffer, Kerry, Telfer, Westwood, Byram, Veliskou, Appleby, Gard and Crossland  
**Those Against:** Councillors Hutchinson and Hull

**Carried**

7.35pm Cr Crossland left the meeting

**7.37pm Liquor Licence Applications – amendments to Governance Policy  
Report Reference GC240117R06**

7.37pm Cr Crossland re-entered the meeting

**Moved Councillor Hull, Seconded Councillor Hutchinson** that Council:

1. Adopts the Liquor Licence Applications Policy contained in Appendix 1, and the Liquor Licence Applications Procedures contained in Appendix 2.
2. Adopts the additional “Option 2” public consultation procedures/exemptions detailed in Appendix 3.
3. Notes that the Liquor Licence Applications Policy and Procedures would need to be amended and brought back to Council for consideration in the event that new legislation replaces the Liquor Licensing Act 1997.

**Carried Unanimously**

**7.41pm Southern Regional Football Facility  
Report Reference GC240117R07**

7.42pm Cr Kerry left the meeting.

**Moved Councillor Byram, Seconded Councillor Crossland** that Council:

1. Notes the report and resolves to support the development of a Southern Regional Football Facility at Majors Road, O’Halloran Hill, (adjacent the Sam Willoughby UCI BMX Track).
2. Allocates up to \$2.5million in the Draft 2017 / 2018 Council budget for the development of a Southern Regional Football Facility at Majors Road subject to matching funding from the State Government.
3. Notes that subject to State Government matching funding of \$2.5million a Section 48 report would be prepared for Council’s consideration in relation to the design, whole of life costs, roles and responsibilities of the parties, fit with Council’s strategic directions, economic impact and related matters.

7.45pm Cr Kerry re-entered the meeting.

**Carried**

**7.53pm Complaints and Grievance Policy Review  
Report Reference GC240117R08**

**Moved Councillor Hutchinson, Seconded Councillor Byram** that Council:

1. Adopts the revised Complaints and Grievance Policy (Appendix 2) and Procedure (Appendix 3).

2. Updates the Complaints and Grievance Policy on the City of Marion Website within the Policy section and creates a further category for complaint handling information with a direct link to the Complaints and Grievance Policy and Procedure.
3. The CEO provides a response to the Ombudsman's recommendations as detailed in appendix 1.

**Carried Unanimously**

**8.03pm Elected Member Liaison on External Bodies**  
**Report Reference GC240117R09**

**Moved Councillor Telfer, Seconded Councillor Pfeiffer** that:

1. This item be adjourned until the 14<sup>th</sup> March 2017 General Council Meeting to receive a developed list of responses from external bodies and a list of potential Elected Members offering to take up each of the requested liaison roles.
2. Current liaison positions remain valid until new positions are resolved.

**Councillor Telfer with the consent of Councillor Pfeiffer** sought and was granted leave of the meeting to vary the motion as follows:

1. This item be adjourned until the 14<sup>th</sup> March 2017 General Council Meeting to receive a developed list of responses from external bodies and a list of potential Elected Members offering to take up each of the requested liaison roles.
2. Current liaison positions remain valid until new positions are resolved.
3. External bodies which currently have a liaison Elected Member shall be excluded from these enquiries.

**Amendment**

**Moved Councillor Westwood, Seconded Councillor Kerry** that:

1. This item be adjourned until the 14<sup>th</sup> March 2017 General Council Meeting to receive a developed list of responses from external bodies and a list of potential Elected Members offering to take up each of the requested liaison roles.
2. Current liaison positions remain valid until new positions are resolved.

The amendment was **Lost**

**Moved Councillor Appleby, Seconded Councillor Gard** that the Motion be put.

**Carried Unanimously**

The original motion as varied was put and **Carried**

## **CORPORATE REPORTS FOR INFORMATION/NOTING**

### **8.25pm WHS Report – November and December 2016 Report Reference: GC240117R10**

**Moved Councillor Hull, Seconded Councillor Gard** that Council:

1. Notes the report and statistical data contained therein.

**Carried Unanimously**

### **8.27pm Finance Report - December 2016 Report Reference: GC240117R11**

**Moved Councillor Telfer, Seconded Councillor Kerry** that Council:

1. Receives the report “Finance Report – December 2016”.

8.31pm Cr Pfeiffer left the meeting.

8.34pm Cr Pfeiffer re-entered the meeting

**Carried Unanimously**

## **MATTERS RAISED BY MEMBERS**

### **Questions with Notice**

#### **8.34pm Hendrie Street – Touched by Olivia Foundation (TBOF) Report Reference: GC240117Q01**

### **QUESTION:**

**If there are 5 play spaces being designed this year, how many FTE are involved in this?**

**COMMENTS: Councillor Luke Hutchinson  
Nil**

**COMMENTS: Fiona Harvey, Manager Innovation and Strategy**

A total of 0.882 FTE is currently committed to the design phase (consultation, concept design, detail design and opinion of costs) for 5 local and neighbourhood playspaces. The 5 playspaces being designed are:

- Breakout Creek Glengowrie
- Sixth Avenue Ascot Park
- Clare Avenue Sheidow Park
- Gully Road Reserve North (including public toilet) Seaview Downs
- Appleby Reserve Morphettville



There are also designs being developed for three regional playspaces (Hallett Cove Foreshore playspace; Hendrie Street Reserve Inclusive playspace; and Oaklands Estate Playspace). A total of 0.92 FTE is dedicated to these projects for 2016/17.

In total 1.8 FTE is committed to playspace design in 2016-17. There is also a \$87,100 budget for consultants associated with the playspace projects in 2016/17.

Attachment 1 provides a breakdown of resource commitments for 2016-17 project works. The resources required for playspace design and development will vary from year to year and are dependent on the size, scope and stage of each project.

The commitment of resources (including staff and consultants) is in line with Council's adoption of the open space works program for 2016-2019 (attachment 2) at its meeting in April 2016 (GC260416R10).

### Attachment 1

<b>Projects 2016-2017</b>	<b>Consultants Fees</b>	<b>Average FTE16/17</b>
<b>Breakout Creek Playspace</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Detailed design documentation and specification</li> </ul>	<b>\$11,400</b>	<b>0.183</b>
<b>Sixth Avenue Playspace</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Detailed design documentation and specification</li> </ul>	<b>\$14,400</b>	<b>0.183</b>
<b>Clare Avenue Playspace</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Detailed design documentation and specification</li> </ul>	<b>\$11,400</b>	<b>0.183</b>
<b>Gully Rd Playspace + public toilet</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Detailed design documentation and specification</li> </ul>	<b>\$17,400</b>	<b>0.183</b>
<b>Appleby Reserve Playspace</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Detailed design documentation and specification</li> </ul>	<b>Renewal SA</b>	<b>0.15</b>
<b>Sub Total Local and Neighbourhood Playspace</b>	<b>\$54,600</b>	<b>0.882</b>
<b>Playspace removals</b> <ul style="list-style-type: none"> <li>- Concept design</li> <li>- Community consultation</li> <li>- Tender procurement</li> <li>- Contract administration</li> <li>- Council reports (section 270)/Petitions</li> </ul>		<b>0.125</b>
<b>Sub Total Playspace Removals</b>		<b>0.125</b>
<b>Hallett Cove Detailed Design Stage 4 Playspace</b> <ul style="list-style-type: none"> <li>- Finalise Concept</li> <li>- Detailed design/ documentation and specification</li> <li>- Council report</li> </ul>	<b>\$15,000 Engineers /artist</b>	<b>0.16</b>
<b>Hendrie Inclusive Playspace</b> <ul style="list-style-type: none"> <li>- Detailed design documentation and specification</li> <li>- TBOF fund raising support</li> <li>- Council report</li> </ul>		<b>0.56</b>

- Tender and procurement		
Oaklands Estate Playspace Development	\$17,500 (playspace)	0.20
- Concept design		
- Community consultation		
- Opinion of Cost		
<b>Sub Total Regional Playspace</b>	<b>\$32,500</b>	<b>0.92</b>
Oaklands Estate Reserve Development	\$27,500 (reserve/open space)	0.24
- Concept design		
- Community consultation		
- Opinion of Cost		
Hallett Cove Detailed Design Stage 5 Amphitheatre	\$15,000 Engineers /artist	0.34
- Detailed design/ documentation and specification		
- Council report		
- Development approvals		
- Tender		
- Construction admin		
Oaklands Recreation Plaza Stage 2 and Roundhouse Landscape		0.3
- Concept design		
- Community consultation		
- Detailed design documentation and specification		
Jervois Terrace Reserve		0.16
- Construction Administration		
- Reserve Evaluation		
Edwardstown Oval Southern Landscape		0.225
- Detail Design		
- Tender		
- Construction Administration		
Public toilets		0.05
- Concept design		
- Community consultation		
- Tender procurement		
- Contract administration		
<b>Sub Total Reserve Development</b>	<b>\$42,500</b>	<b>1.315</b>
Playspace Strategy Review		0.3
Open Space Strategy review		0.325
<b>Sub Total Strategy Review</b>		<b>0.625</b>
Other		1.65
- Reserve Signs		
- Streetscape guidelines		
- Charles Street streetscape concept		
- Sports court removals		
- Tonsley RSA		
- Morphettville RSA		
- Dog Park Follow Up		
- Operating other (stakeholder projects across council)		
Team Leader		1
<b>Total</b>		<b>6.517</b>

## Attachment 2

### Option 3

	Project Program			
Projects	2016/17	2017/18	2018/19	Comment
Operating				
Playspace Strategy	PF			Finalise Playspace Strategy
Playspace Removals	C, DD, PI	C,DD, PI	C, DD, PI	Remove Playspaces in line with Playspace Strategy
Reserve Signs	DD, PI	DD, PI	DD, PI	Annual upgrade for old Reserve Signs
Open Space Asset Management Planning	O	O	O	Annual planning for new/renewal/removal open space assets. Review and provide info for AMP
Capital				
Jervois Street Reserve	PI			Finalise reserve construction
Edwardstown Oval South East Corner	PI			Manage onground works for open space improvements in line with grant funding
Hallett Cove Beach Stage 2				Detailed Design complete. Works subject to available funding. Engineering expertise for contract admin.
Hallett Cove Beach Stage 4	DD	PI		Reserve and Playspace Detailed Design 16/17. Implementation subject to funding available
Hallett Cove Beach Stage 5	DD	PI		Amphitheatre Detailed Design 16/17. Implementation subject to Council endorsement and funding available
Hallett Cove Beach Stage 6			DD	Carpark, remaining reserve (northern end) and connection to Hallett Cove Conservation Park
Hendrie TBOF Inclusive Playspace	DD,PI	PI		Implementation subject to Council endorsement of Final Concept Plan July/August 2016 and funding agreement with TBOFF
Appleby Reserve Playspace	C,DD	PI		Renewal SA Partnership with Morphettville Renewal Concept Development 2016/17
*Playspace Capital Works - Gully Road Reserve including replacement of cricket nets/bball	C,DD	PI		Consultation & Concept Development 2016/17 Detail Design 2016/17 Implementation 2017/18
Oaklands Reserve Development	C	DD,PI	PI	Consultation & Concept Plan 2016/17 Detail Design and Stage 1 Implementation 2017/18 Stage 2 Implementation 2018/19
Playspace Capital Works -Sixth Avenue, Ascot Park -Clare Avenue, Sheidow Park -Breakout Creek, Glengowrie	C,DD	PI		Consultation & Concept Development 2016/17 Detail Design 2016/17 Implementation 2017/18
Capella Reserve Development		C,DD	PI	Consultation & Design Development 2017/18 Implementation subject to Council endorsement and funding availability 2018/19. Potential for staging
Bandon Terrace Reserve		C,DD	PI	Consultation & Concept Development 2017/18 Detail Design 2018/19
2 <sup>nd</sup> Dog Park		C,DD	PI	Investigate Locations, Design Development 2017/18 Implementation 2018/19
Playspace Development x 3		C, DD	PI	Playspace Strategy Local / Neighbourhood Playspaces as per matrix
Playspace Development x 4			C,DD	Playspace Strategy Local / Neighbourhood Playspaces as per matrix
Tennis Court Renewal				On hold until completion of Tennis and Netball review. Refer any works to reviewed program.
C	Consultation/Concept	PI	Procurement and Implementation	O
DD	Detail Design	PF	Policy/Framework	Operating

**8.35pm Obesity Prevention and Lifestyle (OPAL) Program Costs**  
**Report Reference: GC240117Q02**

**QUESTION:**

**How much did the City of Marion expend on the Obesity Prevention and Lifestyle (OPAL) program?**

**COMMENTS: Councillor Jerome Appleby**

The following is from an *InDaily* article dated 21 December 2016:

***SA's \$35m childhood anti-obesity program to be abandoned***

*The most significant taxpayer-funded childhood obesity prevention program in the history of South Australia is set to be abandoned after an evaluation found no evidence it had any effect on children's weight.*

<http://indaily.com.au/news/local/2016/12/21/sas-35m-childhood-anti-obesityprogram-to-be-abandoned/>

**COMMENTS: Ray Barnwell, Manager Finance & Liz Byrne, Manager Community & Cultural Services**

The OPAL program in South Australia was based on a French program called EPODE (translated as 'together we can prevent childhood obesity') which is a community based obesity prevention initiative. The aim of the program was to work with communities to positively change attitudes and behaviours about healthy eating and physical activity.

*"Being overweight can affect the emotional and social wellbeing of children. Overweight children are very likely to become overweight adults, with a greatly increased risk of heart disease, diabetes and other chronic health problems."*<sup>1</sup>

The City of Marion was one of six local governments selected to participate in the program and worked in partnership with State Government, after a positive trial. The financial contribution from the State Government included a Project Manager and Graduate Officer seconded into each Council (up to \$135,000 per annum) in addition to \$279,000 project support funding to the City of Marion over the life of the program.

<sup>1</sup> "Introducing OPAL" brochure

The City of Marion contributed in the order of \$194,000 funding to the program.

The table below summarises the annual expenditure over the duration of the partnership which was funded by State Government funding (\$279 k) and Council's funding contribution (\$194 k).

The City of Marion ended its involvement with the OPAL program in September 2015.

Some councils are still involved with the OPAL program and state government funding will continue until June 2017.

**8.36pm Developer Bonds**  
**Report Reference: GC240117Q03**

**QUESTION:**

- 1) Did the existence of developer bonds make it easier for council to get better quality and more timely restitution of council property damaged as a result of a development, compared to the period without such bonds?
- 2) What was the average amount of developer bond held by council?
- 3) What is the current status of developer bonds legislation/regulation?

**COMMENTS: Councillor Jason Veliskou**

**Nil**

**COMMENTS: Brett Jaggard, Acting Manager, Engineering & Field Services**

- 1) Anecdotal evidence from staff suggests that development bonds are an effective system for Council to hold funds to enable Administration to recoup the costs associated with the replacement of damaged infrastructure. It intuitively provides greater certainty than seeking to recoup post damage rectification costs.
- 2) Based on the total amount of receipted transactions in the period between June 2010 to February 2011 the average amount of developer bonds held by Council was \$2,765.
- 3) Council has contacted the legislative reform branch at the Department of Planning, Transport and Infrastructure seeking clarification as to whether the new planning and development legislation to be implemented in stages over the next 5 years expressly contemplates the introduction of developer bonds associated with applications for demolition of old buildings and the construction of new buildings. At this stage, the legislative reform branch has not expressly dealt with the issue of developer bonds and the legislative reform remains in its early stages of implementation.

**Motions with Notice**

**8.37pm Travers Reserve Land Division**  
**Report Reference: GC240117M01**

The item was withdrawn.

**8.38pm Developer Bonds**  
**Report Reference: GC240117M02**

**Moved Councillor Veliskou, Seconded Councillor Gard that:**

1. That council write to the Relevant Minister asking for the reintroduction of Developer bonds to ensure that council property is reinstated promptly and appropriately after the completion of a development.

2. Further that the council write to the appropriate Shadow Minister to ask them their position on the matter.

**Carried**

#### **Questions without Notice**

Nil

#### **Motions without Notice**

Nil

#### **CONFIDENTIAL ITEMS**

##### **8.42pm Finance and Audit Committee Confidential Minutes Report Reference: GC240117F01**

**Moved Councillor Gard, Seconded Councillor Crossland that:**

1. Pursuant to Section 90(2) and (3)(e) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull Chief Executive Officer; Vincent Mifsud, General Manager Corporate Services; Abby Dickson, General Manager City Development; Tony Lines General Manager Operations; Jaimie Thwaites, Acting Manager Corporate Governance; Yvette Zaric, Governance Officer, be excluded from the meeting as the Council receives and considers the confidential minutes of the Finance and Audit Committee, upon the basis it 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 on the grounds that the report contains information relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

**Carried**

##### **8.43pm The meeting went into confidence.**

**Moved Councillor Telfer, Seconded Councillor Kerry that:**

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* orders that this report and Appendix 1 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. This confidentiality order will be reviewed at the General Council Meeting in December 2017.

**Carried Unanimously**

**8.44pm The meeting came out of confidence.**

**8.45pm Marion Outdoor Swimming Pool Service Review  
Report Reference: GC240117F02**

**Moved Councillor Pfeiffer, Seconded Councillor Crossland that:**

1. Pursuant to Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Abby Dickson, Vincent Mifsud, Jaimie Thwaites, Yvette Zaric, Carol Hampton and Tyson Brown, be excluded from the meeting as the Council receives and considers information relating to the City of Marion Outdoor Swim Centre, 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 relating to commercial information of a commercial nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of a person who supplied the information, or confer a commercial advantage on a third party: and (ii) would, on balance, be contract to public interest.

**Carried**

**8.45pm The meeting went into confidence.**

**Moved Councillor Veliskou, Seconded Councillor Hull that:**

1. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Marion Outdoor Swimming Pool – Service Review and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) of the *Local Government Act 1999*, 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 2017.

**Carried**

**9.02pm The meeting came out of confidence.**

**CLOSURE - Meeting Declared Closed at 9.02pm.**

**CONFIRMED THIS 14 FEBRUARY 2017**

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**CHAIRPERSON**