



**Minutes of the General Council Meeting  
held on Tuesday, 27 August 2024 at 6.30 pm  
Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt**

**PRESENT**

His Worship the Mayor Kris Hanna

Councillor Nathan Prior  
Councillor Raelene Telfer

Councillor Jason Veliskou  
Councillor Sarah Luscombe

Councillor Jayne Hoffmann  
Councillor Matt Taylor  
Councillor Renuka Lama  
Councillor Jana Mates

Councillor Ian Crossland

**In Attendance**

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

**1 Open Meeting**

The Mayor opened the meeting at 6.31pm.

**2 Kaurua Acknowledgement**

We acknowledge the Kaurua 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 Council 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.

Nil interests were disclosed.

## 5 Confirmation of Minutes

### 5.1 Confirmation of Minutes of the General Council Meeting held on 23 July 2024

Report Reference GC240827R5.1

**Moved Councillor Luscombe**

**Seconded Councillor Telfer**

That the minutes of the General Council Meeting held on 23 July 2024 be taken as read and confirmed.

**Carried Unanimously**

## 6 Communications

### 6.1 Elected Member Verbal Communications

In accordance with the *Code of Practice - Procedures at Council Meeting* Council Members were provided the opportunity to speak for up to two minutes and provide a communication report on any events or activities attended.

**Moved Councillor Veliskou**

**Seconded Councillor Hoffmann**

**That the following communication reports be moved en bloc:**

- 6.2 Mayoral Communication Report
- 6.3 CEO and Executive Communication Report

**Carried Unanimously**

### 6.2 Mayoral Communication Report

Report Reference GC240827R6.2

Name of Council Member Mayor - Kris Hanna

Date	Event	Comments
20/07/2024	Park Holme Library Open Day	Attended
20/07/2024	Rosemarie & Peter Collyer 70 <sup>th</sup> Wedding Anniversary Event	Attended
25/07/2024	IQRA College – Australian Government Capital Grants Program Project Opening	Attended
27/04/2024	South Road Cricket Presentation Night	Attended
29/07/2024	Sunrise Christian School COLA & Lift Opening Ceremony	Attended and gave speech
29/07/2024	Radio Italiana	Interview
30/07/2024	Met Mayor of Mid Murray Council	Discussed distribution of Federal funding

31/07/2024	Met Shinehub Representatives	Video done
31/07/2024	'Shakespeareance' performance at Cove Civic Centre	Attended
03/08/2024	Coastal Walkway Bridges Opening	Attended and gave speech
03/08/2024	Cove Sports & Community Club Opening	Attended and gave speech
15/08/2024	National Local Government Housing Summit Civic Reception	Attended
16/08/2024	National Local Government Housing Summit	Attended
In addition, the Mayor has met with residents, MPs and with the CEO and Council staff regarding various issues		

**Moved Councillor Veliskou**
**Seconded Councillor Hoffmann**

That the Mayoral Communication report be received and noted.

**Carried Unanimously**

**6.3 CEO and Executive Communication Report**

**Report Reference** GC240827R6.3

<b>Date</b>	<b>Activity</b>	<b>Attended By</b>
17 July 2024	SAALC Governance Meeting with ORSR, YMCA and CoM	Tony Lines Ben Keen
17 July 2024	Meeting   Chris Adams SRWRA re FOGO	Angela Allison
19 July 2024	Cross Council Collaboration CEO meeting with Port Adelaide Enfield and City of Charles Sturt	Tony Harrison
23 July 2024	Industry Advisory Board Meeting   Flinders University	Ben Keen
23 July 2024	Green Industries SA Information Session   single-use plastic bans	Angela Allison
26 July 2024	Local Government Association Mayor and CEO Forum	Tony Harrison
30 July 2024	Agilyx Executive Account Management Meeting with CoM	Tony Lines
31 July 2024	Meeting   Tony Harrison, Ben Keen and Kym Morgan (Marion Tennis Club)	Tony Harrison Ben Keen
3 August 2024	Coastal Walkway Bridges Opening	Tony Harrison

3 August 2024	Cove Sports and Community Club - Netball and Lower Oval Opening	Tony Harrison
6 August 2024	Southern Suburbs Community Service Roundtable	Angela Allison
7 August 2024	LG Professionals SA GM and Directors Forum	Tony Lines Ben Keen Angela Allison
7 August 2024	Oaklands Green PCG Monthly Meeting	Tony Lines Ben Keen
9 August 2024	Meeting   Tony Harrison, Tony Lines, Steve Wren and Blake Soroka (Pelligra)	Tony Harrison Tony Lines
9 August 2024	Project check-in meeting with Brightly	Angela Allison
9 August 2024	Graduate Program Working Group   Mitcham City Council	Angela Allison
12 August 2024	KPMG and CoM   Meeting	Tony Lines
13 August 2024	Teams Meeting   Cowell Clarke Lawyers	Tony Lines
13 August 2024	Meeting with Matthew Romaine   Mitcham City Council	Angela Allison
14 August 2024	Meeting   Tony Harrison and John Wood	Tony Harrison
14 August 2024	Meeting   Mayor Matthew Garwood, Sam Johnson (CEO, City of Launceston) & Alison Flood (EA)	Tony Harrison
15 August 2024	Meeting   City of Mitcham   Project Management Framework	Ben Keen
15 August 2024	Meeting   Shinehub	Angela Allison
16 August 2024	LGA Professionals SA General Managers and Directors Network Working Group Meeting	Ben Keen
16 August 2024	Flinders Uni Bedford Park Master Plan Consultation	Tony Harrison Ben Keen
19 August 2024	Meeting   Marion Tennis Club	Ben Keen
19 August 2024	SRWRA Board Meeting	Angela Allison
20 August 2024	Meeting   Ricoh on Digital Transformation	Tony Lines
21 August 2024	Irrigation Project Governance Meeting   CoM & CCS	Angela Allison

**Moved Councillor Veliskou****Seconded Councillor Hoffmann**

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

**Carried Unanimously**

## 7 Adjourned Items

The Mayor sought and was granted leave of the meeting to vary the order of the agenda and consider the adjourned item *Revocation of Community Land Process* at the end of Section 18 – *Confidential Items*.

## 8 Deputations

### 8.1 Mr Pascoe - Hallett Cove

Report Reference	GC2408278.1
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Mr Pascoe gave a five-minute deputation regarding the dust/ashes that enter his home from a neighbouring properties fireplace.

## 9 Petitions - Nil

## 10 Committee Recommendations

**Moved Councillor Prior****Seconded Councillor Mates**

That the following Committee Recommendations be moved en bloc:

- 10.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 6 August 2024
- 10.2 Confirmation of Minutes of the Infrastructure and Environment Committee Meeting held on 6 August 2024
- 10.3 Confirmation of Minutes of the Special Review and Selection Committee Meeting held on 12 August 2024
- 10.4 Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 13 August 2024

**Carried Unanimously**

### 10.1 Confirmation of Minutes of the Review and Selection Committee Meeting held on 6 August 2024

Report Reference	GC240827R10.1
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**Moved Councillor Prior****Seconded Councillor Mates**

That Council:

1. Receives and notes the minutes of the Review and Selection Committee meeting held on 6 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

**Carried Unanimously****10.2 Confirmation of Minutes of the Infrastructure and Environment Committee Meeting held on 6 August 2024****Report Reference** GC240827R10.2**Moved Councillor Prior****Seconded Councillor Mates**

That Council:

1. Receives and notes the minutes of the Infrastructure and Environment Committee meeting held on 6 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Environment Committee.

**Carried Unanimously****10.3 Confirmation of Minutes of the Special Review and Selection Committee Meeting held on 12 August 2024****Report Reference** GC240827R10.3**Moved Councillor Prior****Seconded Councillor Mates**

That Council:

1. Receives and notes the minutes of the Special Review and Selection Committee meeting held on 12 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

**Carried Unanimously****10.4 Confirmation of Minutes of the Finance, Risk and Audit Committee Meeting held on 13 August 2024****Report Reference** GC240827R10.4**Moved Councillor Prior****Seconded Councillor Mates**

That Council:

1. Receives and notes the minutes of the Finance, Risk and Audit Committee meeting held on 13 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.

**Carried Unanimously**

**11 Corporate Reports for Decision****11.1 Marion Water Grant Opportunity - Majors Road Soccer Pitches Water Supply****Report Reference** GC240827R11.1**Moved Councillor Taylor****Seconded Councillor Prior**

That Council:

1. Endorses the CEO to submit a Resilient Rivers Water Infrastructure grant application for the extension of the recycled water distribution from Seacliff Golf Club to the Southern Soccer Facility.
2. Notes that should the grant application be approved, a business case will be presented to Council for endorsement with further details on the costs and benefits of any proposed grant scheme.

**Carried Unanimously****11.2 Sturt Precinct Traffic Study****Report Reference** GC240827R11.2**Moved Councillor Telfer****Seconded Councillor Lama**

That Council:

1. Endorses a letter from the Mayor to be sent to the Minister for Infrastructure and Transport that requests the Department consider the installation of new traffic signals on Sturt Road to improve site access to Marion Oval. The proposal includes the relocation of the existing pedestrian crossing to new traffic signals located adjacent the disused eastern-most lawn bowling green.
2. Notes the independent traffic and parking report prepared for the Marion Oval precinct will inform the design of the Marion Basketball Stadium and any future site developments.

**Carried Unanimously****11.3 Reconciliation Action Plan Update - Document Finalisation****Report Reference** GC240827R11.3

6.52pm Councillor Mates left the meeting

**Moved Councillor Telfer****Seconded Councillor Luscombe**

That Council:

1. Endorses the Reconciliation Action Plan July 2024 – June 2026
2. Notes the report to Reconciliation Australia for the 2023/2024 period

**Carried Unanimously**



**11.4 LGA Annual General Meeting 2024 - Call for Items of Business****Report Reference** GC240827R11.4

6.54pm Councillor Mates re-entered the meeting

**Moved Councillor Veliskou****Seconded Councillor Prior**

That:

1. The nominated Council Voting Delegate for the 2024 Local Government Association Ordinary General Meeting is Mayor Kris Hanna and the Proxy Delegate for this meeting is Councillor Crossland.

**Carried Unanimously****Moved Councillor Veliskou****Seconded Councillor Lama**

2. Council submits the following motion for consideration at the LGA Ordinary General Meeting 2024:

*That the Annual General Meetings requests the LGA to consider the adoption of preferential voting for LGA President and LGA Board positions (subsequent to the 2024 AGM); the voting methods used in South Australian elections for the House of Assembly and Legislative Council to be followed respectively.*

3. Council notes the report *LGA Annual General Meeting 2024 Call for Items of Business* and endorses the following motion to be submitted to the Local Government Association for consideration:
  - a. *Voting Method – LGA President & LGA Board Positions (Attachment 1)*

**Carried Unanimously****11.5 Consultation on Dog and Cat Management (Cat Management amendment bill 2024)****Report Reference** GC240827R11.5**Moved Councillor Crossland****Seconded Councillor Taylor**

That Council:

1. Endorse the proposed comments in relation the Dog and Cat Management (Cat Management) Amendment Bill 2024 for submission to the Department for Environment and Water (Attachment 1).
2. That Council authorises the Mayor to write to the responsible Minister seeking the establishment of a State-run destination for the management of seized, detained and unwanted dogs and cats.

**Carried Unanimously**

**Moved Councillor Crossland****Seconded Councillor Prior**

That formal meeting procedures be suspended to discuss the item

**Carried Unanimously**

7.03pm formal meeting procedures suspended

7.10pm formal meeting procedures resumed

**11.6 Updates to the Schedule of Delegations - August 2024****Report Reference** GC240827R11.6**Moved Councillor Veliskou****Seconded Councillor Telfer**

That Council:

1. That the Council resolves to grant the delegation of powers and functions of the Council as provided for in the attached instrument of delegation (Attachment 1) under the following legislation as set out in the attached Table of Delegated Functions and Powers (Attachment 2),
  - *Disability Inclusion Regulations 2019*
  - *Environment Protection Regulations 2023*
  - *Local Government Act 1999*
2. Notes that such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the schedule of conditions contained in each such proposed Instrument of Delegations.
3. Notes that a full list of the Delegations and Sub-Delegations of the CEO will be made available on the City of Marion website.

**Carried Unanimously****Moved Councillor Luscombe****Seconded Councillor Hoffmann**

That the following items be moved en bloc:

- 11.7 Diversity, Access and Inclusion Policy
- 11.8 Sister Cities Policy
- 11.9 Privacy Policy

**Carried Unanimously****11.7 Diversity, Access and Inclusion Policy****Report Reference** GC240827R11.7**Moved Councillor Luscombe****Seconded Councillor Hoffmann**

That Council:

1. Endorses the Diversity, Access and Inclusion Policy subject to the following amendments:

- Consistency in the use of 'Council' and 'City of Marion' (Council referring to the organisation and City of Marion referring to the wider community)

**Carried Unanimously**

### 11.8 Sister Cities Policy

**Report Reference** GC240827R11.8

**Moved Councillor Luscombe**

**Seconded Councillor Hoffmann**

That Council:

1. Adopts the revised Sister Cities Policy subject to the following amendments:
  - Consistency in the use of 'Council' and 'City of Marion' (Council referring to the organisation and City of Marion referring to the wider community)

**Carried Unanimously**

### 11.9 Privacy Policy

**Report Reference** GC240827R11.9

**Moved Councillor Luscombe**

**Seconded Councillor Hoffmann**

That Council:

1. Endorses the revised Privacy Policy subject to the following amendments:
  - Consistency in the use of 'Council' and 'City of Marion' (Council referring to the organisation and City of Marion referring to the wider community)
  - *Amending 2<sup>nd</sup> paragraph under 3.1 to read "All Council Members, Council staff and contractors are responsible for complying with this privacy policy and for safeguarding personal information accessible to them."*
  - Amend the wording under Section 8 *Review and Evaluation* to read "it is proposed that the policy be reviewed every four years in line with Council's Policy Framework, or earlier should legislative or technological changes require it."

**Carried Unanimously**

### 11.10 City Limits Publications Policy review

**Report Reference** GC240827R11.10

**Moved Councillor Veliskou**

**Seconded Councillor Luscombe**

That Council:

1. Endorses Option 1 Status quo Councillor columns of 200 words every second edition, Subject to incorporating the above, and the amendments listed below, adopts the revised City Limits Policy:

- Consistency in the use of 'Council' and 'City of Marion' (Council referring to the organisation and City of Marion referring to the wider community).

**Carried****12 Corporate Reports for Information/Noting****Moved Councillor Telfer****Seconded Councillor Prior**

That the following reports for information / noting be moved en bloc:

- 12.1 Annual Animal Management Activity Update
- 12.2 Monthly Work Health and Safety Report
- 12.3 Council and CEO KPI Report Quarter Four 2023-24

**Carried Unanimously****12.1 Annual Animal Management Activity Update****Report Reference** GC240827R12.1**Moved Councillor Telfer****Seconded Councillor Prior**

That Council:

1. Notes this report.

**Carried Unanimously****12.2 Monthly Work Health and Safety Report****Report Reference** GC24082712.2**Moved Councillor Telfer****Seconded Councillor Prior**

That Council:

1. Note this report

**Carried Unanimously****12.3 Council and CEO KPI Report Quarter Four 2023-24****Report Reference** GC240827R12.3**Moved Councillor Telfer****Seconded Councillor Prior**

That Council:

1. Notes this information and information contained within the attachments for Quarter four 2023-24.

**Carried Unanimously**

### 13 Workshop / Presentation Items - Nil

### 14 Motions With Notice - Nil

### 15 Questions With Notice

#### 15.1 Businesses Operating on Council Land

**Report Reference** GC240827Q15.1

**Council Member** Mayor Kris Hanna

#### QUESTION

Please list the businesses operating on Council land with delegated approval by Administration (name of business and brief description of services offered).

Where are there businesses operating on Council land with neither Administration nor general Council approval?

#### SUPPORTING INFORMATION

Nil

**Response Received From** Manager City Property – Mark Hubbard

**Corporate Manager** Manager City Property – Mark Hubbard

**General Manager** General Manager City Development – Ben Keen

#### STAFF COMMENTS

##### 1. Business uses with Approval

The current businesses operating on Council land with either General Council approval or delegated approval are contained in the table below:

BUSINESS NAME	COMMON NAME	STATUS	ADDRESS	AGREEMENT TYPE	PURPOSE
MarionStorm Pty Ltd (Pancake Kitchen)	Marion Cultural Centre	Current	287 Diagonal Road, Oaklands Park	Lease	Café and Restaurant
Marion Ice Holdings Pty Ltd (Marion Ice Area)	Marion Ice Area (to be constructed)	Current	262 Sturt Road, Sturt	Lease	ice rink, rock climbing, play café, kiosk/restaurant, pro shop
HITsa	Edwardstown Soldiers Memorial Recreation Ground	Current	Raglan Avenue, South Plympton	Licence	Education and training provider (Classrooms and Kitchen usage for Cookery)
Spark A Revolution Fitness	Mitchell Park Sports and Community Centre	Current	Moreland Avenue, Mitchell Park	Licence	Outdoor fitness classes
Boatshed Café	Hallett Cove	Current	1A Herron Way, Hallett Cove	Lease	Café and Restaurant

Nepalese Flavours Pty Ltd	Mobile Food Vendor	Current	Various Approved Mobile Food Vendor Locations	Section 222 Permit	Food Van
Acciona Construction Australia Pty Ltd	Southern Depot	Current	5 Adams Road, Trott Park	Licence	Hardstand storage for contractor undertaking construction of Majors Road interchange upgrade/portion of the land being acquired by State Government
Amplitel Pty Ltd (Telstra Licence)	Kellett Reserve	Current	Lot 61 Denham Avenue, Morphettville	Lease	Telecommunication Tower
Belair Turf Management Agreement Pty Ltd	Seacliff Golf Course (Previously known as Marion Golf Park)	Current	34-38 Clubhouse Road, Seacliff Park	Management Agreement	Commercial operation of golf course
City of Onkaparinga	Southern Depot	Current	5 Adams Road, Trott Park	Lease	Storage of materials
Crown Castle Australia (assigned from Vodafone)	Seacliff Golf Course (Previously known as Marion Golf Park)	Current	34-38 Clubhouse Road, Seacliff Park	Lease	Telecommunication Tower
SEDA College	Edwardstown Soldiers Memorial Recreation Ground	Current	East Terrace, South Plympton	Licence	Independent secondary school focused on sport pathways (Classrooms and facility usage)
SEDA College	Mitchell Park Sports and Community Centre	Current	139-161 Bradley Grove, Mitchell Park	Licence	Independent secondary school focused on sport pathways (Classrooms and facility usage)
SEDA College	Cove Sports and Community Centre	Current	Lot 176 Oval Road, Hallett Cove	Licence	Independent secondary school focused on sport pathways (Classrooms and facility usage)
Southern Cultural Immersion	LKCC	Current	Living Kurna Cultural Centre	Management Agreement	Cultural Tours, Education, Room Hire
Southern Cultural Immersion	LKCC Oval and Surrounding Grounds	Current	Living Kurna Cultural Centre	Section 200 Permit	Cultural Tours as part of Management Agreement
Lampshade Coffee House	Wandana Avenue	Current	11 Wandana Avenue, Seaview Downs	Section 222 Permit	Outdoor Dining Permit for Parklet
Gilmore Constructions	Cove Tavern	Current	Cove Tavern	Section 221 Permit	Use of footpath for construction works at Cove Tavern
Jolt EV Charging Stations	Various	Current	Various	Contract	EV Charging Stations
Telstra	Morphettville Park Sports Club	Current	Morphettville Park	Lease	Telecommunication Tower
MoMo Mates	Jervois Street Glandore	Current	Jervois Street Glandore	Section 222 Permit	Mobile Food Van - s222 Permit
Telstra	Seacliff Golf Course (Previously known as Marion Golf Park)	Current	34-38 Clubhouse Road, Seacliff Park	Lease	Telecommunication Tower
Gallery M (Red House Group)	Marion Cultural Centre	Current	287 Diagonal Road, Oaklands Park	Management Agreement	Gallery
MUT SA	City Services	Current	935A Marion Road, Mitchell Park	Lease	Long term ground lease for development of bulky goods retail

There are also a number of businesses which make use on an ad hoc basis of Council spaces for hire, and also Council Business Hubs.

## 2. Methods of Granting Business Approval

The Local Government Act 1999 provides for Councils to grant approval for the business use of its land, and penalties for contravention, through the following sections:

- Section 200 – Permit for the Business use of Community Land (Maximum Penalty \$5,000)
- Section 202 – Lease or a Licence over Community Land
- Section 221 – Authorisation for the Alteration of a Public Road (Maximum Penalty \$5,000)
- Section 222 – Permit for the Business use of a Public Road (Maximum Penalty \$2,500 Expiation fee \$210)

Council also has By-laws. Of relevance here is By-law No.3 of 2021 *Local Government Land By-Law*. [By-law-No-3-Local-Government-Land-2021 2021-12-15-043011 ctfb.pdf \(marion.sa.gov.au\)](#)

### **3. Businesses Operating without Approval**

Staff are aware of two general areas of concern in relation to businesses operating on Council land without approval, being driving schools utilising the Marion Outdoor Pool carpark as a meeting point and for driving lessons, and cafes and restaurants using footpaths for outdoor dining purposes.

#### **a. Marion Outdoor Pool Car Park – Driving Schools**

##### **i. Background**

- Some years ago, DIT wanted to establish a 'learner driver hub' within the City of Marion. DIT advised that they understood that consultation took place with Council at the time, however no written record of this can be found.
- DIT has used the Marion Outdoor Pool (MOP) car park as their 'Park Holme hub' for learner drivers for many years.
- A 'learner driver hub' is used for 'final drives' only. These are used as start points for the final driving test. Driving practice should not occur at the hub.
- The MOP Carpark is used as a meeting point only for a student to meet a licensed instructor. They meet at the 'start point', undertake the final test on the designated road route, then return to the MOP carpark as the drop off point.
- DIT advise they book in around 8-10 cars per day from the MOP site for final drives.
- DIT advise they do not refer people to this site for day-to-day lessons. Given the issues at the MOP site, they have communicated to industry associations that if you are not doing an approved DIT test from the MOP site then you should not be using it.
- Due to the site being known as a hub, DIT believe that a number of driving instructors, along with Mums and Dads, use the site regularly to conduct drop off/pick-ups for lessons, and also to conduct lessons on the site.
- DIT have reviewed the usage of the MOP car park and acknowledge that it is greater than they expected. DIT have instructed their team to have a look at other locations nearby that can be used to establish a new hub and potentially reduce the usage of the MOP.
- DIT require a site in or near CoM, as the closest alternative southern site is at Noarlunga, and there are no nearby northern sites.
- Council may be able to assist by identifying suitable alternative sites.

##### **ii. Current issues**

- The use as a DIT hub and driving schools using the site for lessons has led to congestion of the MOP car park, particularly in the December-February months.



- Conducting driving lessons within the car park creates public safety risks during peak periods, noting many children frequent the pool.
- MOP staff have spoken with driving instructors about the issue. Many instructors respond by advising they can operate there as DIT allow them to.

### iii. Lawful Use

- Where private instructors choose to use the Carpark then they must do so in accordance with the law. In this regard:
  - because the Carpark is open to and accessible by the public, then it can be used for parking by any member of the public and the only way to regulate such use is by way of parking controls being installed;
  - to the extent that driving instructors are using the Carpark as a drop-off and pick-up location (i.e. which involves parking in the Carpark), then this is consistent with the ordinary use of the Carpark and is not an unlawful activity;
  - where driving instructors are accessing and using the Carpark for their lessons, then this amounts to the use of the Carpark for a business purpose. Since the Carpark is community land, the use of it for a business purpose cannot occur unless approved by Council;
  - In the absence of any written agreement, potential representations made by a Council officer to DIT in the past regarding the Carpark do not amount to an approval to individual driving instructors to use the Carpark for driving lessons; and
  - as such, the use of the Carpark for lessons (being a business purposes) without approval is an offence under section 200(4) of the *Local Government Act 1999* (. This is not an expiable offence and can only be enforced by way of prosecution;
  - The use of the land for a business purpose is also a breach of Council's By-Law No.3.

### iv. Options to manage the issue:

- Suggest an alternative site – DIT have expressed their interest to work with Council on this. They have advised they would be happy to consider an alternative site, provided it is suitable. It would need to be useable 7 days per week and 'safe'.
- Driving instructors that use the Carpark can be notified (e.g. via a letter given to them on site) that:
  - the Carpark is not to be used for lessons unless approved by the Council;
  - the use of the Carpark in this manner without approval is an offence; and
- Council can give consideration to implementing parking controls in the carpark to restrict parking.
- Council can write to DIT to notify that Council does not authorise the carpark to be used by driving instructors as a hub and requires that DIT ensure that correct information is provided to instructors regarding the carpark, including that it is not available for use in this manner (subject to the terms of any approval between an individual instructor and Council).

Finding an alternative site (if available) would likely help to resolve the issue. Council staff have been investigating potential alternative hub sites to suggest to DIT.

### b. Outdoor Dining on Footpaths

It is noted that there are no current Permits issued for outdoor dining on Council footpaths, which would be issued as a s222 Permit for the Business Use of a Public Road. A number of cafes have



historically applied for permits for this use, but they have not applied to renew these (noting that the onus is on the business wanting to use the footpath to apply for a permit to do so).

Outdoor dining adds to the vibrancy of the areas where it is present and would generally be encouraged from a placemaking and economic development perspective. Council has fees included in its Schedule of Fees & Charges for this use.

It is recognised that this use of Council land without a Permit is not currently being enforced or managed. A cross departmental working group is proposed to consider how this can best be implemented taking into consideration:

- Liability and legal concerns.
- Desire to not discourage outdoor dining noting the important addition it makes to the vibrancy of the streetscape.
- Initial audit of businesses operating without a Permit.
- Enforcement (this use could be enforced by Council's Authorised Officers as a breach of the *Local Government Act 1999* s200 or through the breach of Council By-Law No.3.)
- Safety for outdoor dining patrons (should high impact bollards be required in certain locations).

#### **16 Motions Without Notice - Nil**

#### **17 Questions Without Notice - Nil**

#### **18 Confidential Items**

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

That the following cover reports to move into confidence be moved en bloc:

- 18.1 Cover Report – Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 6 August 2024
- 18.2 Cover Report – Confirmation of Minutes of the Confidential Infrastructure and Environment Committee Meeting held on 6 August 2024
- 18.3 Cover Report - Confirmation of Minutes of the Confidential Special Review and Selection Committee Meeting held on 12 August 2024
- 18.4 Cover Report - Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 13 August 2024
- 18.5 Cover Report - Finance, Risk and Audit Committee - Independent Member and Chair
- 18.6 Cover Report - Warriparinga Advisory Team - Nominated Appointments
- 18.7 Cover Report - Marion Ice Arena
- 18.8 Cover Report - 262 Sturt Road Precinct options
- 7.1 Cover Report – Adjourned – Revocation of Community Land Process - Edwardstown

**Carried Unanimously**

7.44pm the meeting went into confidence

7.45pm Councillor Lama left the meeting

7.47pm Councillor Lama re-entered the meeting

**Moved Councillor Prior**

**Seconded Councillor Crossland**

That the following reports be moved en bloc:

- 18.1 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 6 August 2024
- 18.2 Confirmation of Minutes of the Confidential Infrastructure and Environment Committee Meeting held on 6 August 2024
- 18.3 Confirmation of Minutes of the Confidential Special Review and Selection Committee Meeting held on 12 August 2024
- 18.4 Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 13 August 2024

**Carried Unanimously**

### 18.1 Cover Report - Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 6 August 2024

Report Reference                      GC240827F18.1

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.1 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 6 August 2024, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information concerning the personal affairs of any person (living or dead), the disclosure of which would be unreasonable being information relating to the performance of the Committee and its Members.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

7.44 pm the meeting went into confidence

**Moved Councillor Prior**

**Seconded Councillor Crossland**

That Council:

1. Receives and notes the confidential minutes of the Review and Selection Committee meeting held on 6 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.

3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.1 Confirmation of Minutes of the Confidential Review and Selection Committee Meeting held on 6 August 2024 shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act:
  - Attachment 1 – RSC240806 Final Confidential Minutes

on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to release information relating to the performance of the Committee and its Members.

4. Determines this order shall operate until the conclusion of the recruitment process to fill all vacancies on the Finance, Risk and Audit Committee and will be reviewed every 12 months.
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried Unanimously**

8.06pm the meeting came out of confidence

## 18.2 Cover Report - Confirmation of Minutes of the Confidential Infrastructure and Environment Committee Meeting held on 6 August 2024

Report Reference GC240827F18.2

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.2 Confirmation of Minutes of the Confidential Infrastructure and Environment Committee Meeting held on 6 August 2024, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information the disclosure of which could reasonably be expected to deliberate a commercial advantage on a person with whom Council is proposing to conduct business and could prejudice the commercial position of Council.

Notes the disclosure of this information would, on balance, be contrary to the public interest because obtaining the best value for the provision of a weekly FOGO service could be compromised by the disclosure of this information.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

7.44pm the meeting went into confidence

**Moved Councillor Prior**

**Seconded Councillor Crossland**

That Council:

1. Receives and notes the confidential minutes of the Infrastructure and Environment Committee meeting held on 6 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Infrastructure and Environment Committee.
3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.2 Confirmation of Minutes of the Confidential Infrastructure and Environment Committee Meeting held on 6 August 2024 shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(b) of the Act:
  - Attachment 1 – IEC240806 – Final Confidential Minutes
 on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to:
  - Deliberate a commercial advantage on a person with whom Council is proposing to conduct business
  - Prejudice the commercial position of Council.
4. Notes the disclosure of this information would, on balance, be contrary to the public interest because the best value for the provision of a weekly green organics service could be compromised by the disclosure of this information.
5. Determines this order shall operate until the execution of a contract or request for new quote and will be reviewed every 12 months
6. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part

**Carried Unanimously**

8.06pm the meeting came out of confidence

### 18.3 Cover Report - Confirmation of Minutes of the Confidential Special Review and Selection Committee Meeting held on 12 August 2024

Report Reference GC240827F18.3

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.3 Confirmation of Minutes of the Confidential Special Review and Selection Committee Meeting held on 12 August 2024, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information

the disclosure of which could reasonably be expected to reveal the names and personal information of the candidates for the Warriparinga Advisory Team.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

7.44pm the meeting went into confidence

**Moved Councillor Prior**

**Seconded Councillor Crossland**

That Council:

1. Receives and notes the confidential minutes of the Special Review and Selection Committee meeting held on 12 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Review and Selection Committee.
3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.3 Confirmation of Minutes of the Confidential Special Review and Selection Committee Meeting held on 12 August 2024 shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act:
  - Attachment – SRSC240812 – Final Confidential Minuteson the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to release the personal information of the candidates for the Warriparinga Advisory Team.
4. Determines this order shall operate until the successful candidates have been notified of their appointment.
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried Unanimously**

8.06pm the meeting came out of confidence

#### **18.4 Cover Report - Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 13 August 2024**

Report Reference                      GC240827F18.4

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(e) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.4 Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 13 August 2024, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Chief Financial Officer, Unit Manager Governance and Council

Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information the disclosure of which could reasonably be expected to diminish the safety of and cybersecurity measures within 3rd party suppliers and City of Marion IT Systems.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

7.44pm the meeting went into confidence

**Moved Councillor Prior**

**Seconded Councillor Crossland**

That Council:

1. Receives and notes the confidential minutes of the Finance, Risk and Audit Committee meeting held on 13 August 2024.
2. Notes that separate reports will be brought to Council for consideration of any recommendations from the Finance, Risk and Audit Committee.
3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.4 Confirmation of Minutes of the Confidential Finance, Risk and Audit Committee Meeting held on 13 August 2024 shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(e) of the Act:
  - Attachment 1 – FRAC240813 – Final Confidential Minutes
 on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to diminish the safety of and cybersecurity measures within 3rd party suppliers and City of Marion IT Systems.
4. Determines this order shall operate until it is revoked and will be reviewed every 12 months.
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer [or insert other officer title] the power to revoke this order in whole or part.

**Carried Unanimously**

8.06pm the meeting came out of confidence

## 18.5 Cover Report - Finance, Risk and Audit Committee - Independent Member and Chair

Report Reference GC240827F18.5

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the Council orders that the



public be excluded from attendance at that part of this meeting relating to Agenda Item *Finance Risk and Audit Committee Independent Member and Chair (GC240827F18.5)*, except the following persons: Chief Executive Officer, General Manager Corporate Services, General Manager City Services, General Manager City Development, Manager Office of the CEO, Chief Finance Officer, Manager People & Culture and Unit Manager Governance & Council Support, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information concerning the personal affairs of any person (living or dead), the disclosure of which would be unreasonable being discussions relation to the appointment of an independent member to the Committee.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

8.07pm the meeting went into confidence

**Moved Councillor Hoffmann**

**Seconded Councillor Veliskou**

That Council:

3. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item *Finance Risk and Audit Committee Independent Member and Chair (GC240827F18.5)* shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act:

- Report
- Minutes (in relation to points 1 and 2)

on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to prematurely disclose information concerning personal affairs of any person (living or dead), the disclosure would be unreasonable as it related to the process for appointment of an independent member to the Committee which is not yet finalised.

4. Determines this order shall operate:
  - Until the successful candidate for the position of Chair has been notified and will be reviewed every 12 months.
5. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried Unanimously**

**Moved Councillor Hoffmann**

**Seconded Councillor Telfer**

1. Endorse the remuneration payable to the Chair of the Finance Risk and Audit Committee is \$1,500 per meeting in accordance with Section 3.13 of the Finance, Risk and Audit Committee Terms of Reference.
2. Endorse the remuneration payable to an Independent member of the Finance Risk and Audit Committee is \$1,200 in accordance with Section 3.13 of the Finance, Risk and Audit Committee Terms of Reference

**Carried Unanimously**

8.09pm the meeting came out of confidence

**18.6 Cover Report - Warriparinga Advisory Team - Nominated Appointments**

Report Reference GC240827F18.6

**Moved Councillor Veliskou****Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.6 Warriparinga Advisory Team - Nominated Appointments, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager Office of the Chief Executive, Chief Financial Officer, Manager City Property, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information the disclosure of which could reasonably be expected to reveal the names and personal information of the candidates for the Warriparinga Advisory Team.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

8.09pm the meeting went into confidence

8.16pm Cr Veliskou left the meeting

8.16pm Cr Veliskou re-entered the meeting

**Moved Councillor Hoffmann****Seconded Councillor Taylor**

1. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.6 Warriparinga Advisory Team Nominated Appointments shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(a) of the Act:
  - a. Report
  - b. Minuteson the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to release the personal information of the candidates for the Warriparinga Advisory Team.
2. Determines this order shall operate until the successful candidates have been notified of their appointment.
3. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried Unanimously**

8.19pm the meeting came out of confidence



**18.7 Cover Report - Marion Ice Arena**

Report Reference GC240827F18.7

**Moved Councillor Veliskou****Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.7 Marion Ice Arena, except the following persons: Chief Executive Officer, Manager Office of Chief Executive, General Manager City Development, General Manager Corporate Services, General Manager City Services, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser to enable the Council to consider Item GC240827F11.7 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item GC240827F11.7 as its disclosure of information could reasonably be expected to prejudice the confidence of Council and the Developer whilst in the process of negotiations.

Notes the disclosure of information, on balance, be contrary to the public interest being commercial information pertaining to the operations of the Developer.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

8.19pm the meeting went into confidence

**Moved Councillor Taylor****Seconded Councillor Hoffmann**

1. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.7 Marion Ice Arena shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)h of the Act:
  - Report Marion Ice Arena
  - Attachment 1 – Deed of Termination of Lease
  - Minutes

on the grounds that the documents relate to information the disclosure of which could reasonably be expected to prejudice the confidence of Council and the Developer whilst in the process of negotiations.

2. Notes the disclosure of information, on balance, would be contrary to the public interest being commercial information pertaining to the operations of the Developer.
3. Determines this order shall operate until it is revoked, or a further order is made and will be reviewed every 12 months.
4. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried**

8.28pm the meeting came out of confidence

## 18.8 Cover Report - 262 Sturt Road Precinct options

Report Reference GC240827F18.8

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.8 – 262 Sturt Road Precinct Options, except the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager City Property, Manager City Activation, Manager Office of the Chief Executive, Acting Chief Finance Officer, Unit Manager Governance and Council Support and Project Design Advisor, to enable the Council to consider the Item in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item:- information the disclosure of which could reasonably be expected to on balance, be contrary to the public interest because it could provide a benefit to any party that has a potential interest in submitting a tender for one of the possible projects in the future.

Notes the disclosure of this information would, on balance be contrary to the public interest because it could provide a benefit to any party that has a potential interest in submitting a tender for one of the possible projects in the future.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

8.28pm the meeting went into confidence

**Moved Councillor Telfer**

**Seconded Councillor Crossland**

That Council:

1. Notes this report.
2. Notes the existing Council Resolution (GC240227F11.1) for a 5-court basketball stadium to be built on Norfolk Road.
3. Notes that consideration has been given to potential options to relocate the project to 262a Sturt Road, and that Council does not wish to continue to explore this option.
4. Authorises the Mayor and/or Chief Executive Officer and authorised staff to publicly discuss this option notwithstanding confidentiality orders.

**Carried**

**Moved Councillor Telfer**

**Seconded Councillor Crossland**

5. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.8 – 262 Sturt Road Precinct Options shall

be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)(b) of the Act:

- GC240827F18.8 - 262 Sturt Road Precinct Options – Report

on the grounds that the document(s) relates to information the disclosure of which could reasonably be expected to benefit any party that has a potential interest in submitting a tender for one of the possible projects in the future and would on balance be contrary to the public interest.

6. Determines this order shall operate until it is revoked and will be reviewed within 12 months
7. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**Carried Unanimously**

8.53pm the meeting came out of confidence

### **7.1 Confidential Cover Report - Adjourned - Revocation of Community Land Process – Edwardstown**

Report Reference                      GC240827F7.1

**Moved Councillor Veliskou**

**Seconded Councillor Crossland**

Pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F17.1 Revocation of Community Land Process – Edwardstown, except the following persons: Chief Executive Officer, Manager Office of CEO, General Manager City Development, General Manager City Services, General Manager Corporate Services, Chief Financial Officer, Manager City Property, Unit Manager Property and Facilities, Team Leader Property, Property Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser, to enable the Council to consider Item GC240827F7.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item GC240827F7.1 as its disclosure of information could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Notes the disclosure of this information would, on balance, be contrary to the public interest because the details relate to commercial information of a confidential nature of which could reasonably be expected to prejudice the commercial position of the person who supplied the information.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

**Carried Unanimously**

8.55pm the meeting went into confidence

**Moved Councillor Crossland**

**Seconded Councillor Hoffmann**

Formal meeting procedures be suspended to discuss the item

**Carried**

9.03pm formal meeting procedures suspended

9.29pm Formal meeting procedures resumed

**Moved Councillor Hoffmann**

**Seconded Councillor Prior**

That the item be adjourned to the General Council Meeting to be held in December 2024 to allow further information to be provided.

**Carried**

9.30pm the meeting came out of confidence

## **19 Other Business**

## **20 Meeting Closure**

The meeting was declared closed at 9.30pm.

CONFIRMED THIS 24 DAY OF SEPTEMBER 2024

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CHAIRPERSON