



CONFIDENTIAL ORDINARY COUNCIL MEETING

CONFIDENTIAL MATTERS

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16.1 APPOINTMENT OF INDEPENDENT MEMBERS FOR COUNCIL DEVELOPMENT ASSESSMENT PANEL (CDAP)

Contact Person: Matthew Romaine

Why is this matter confidential?

Subject to an order pursuant to Section 90(3) (a) of the Local Government Act 1999, this matter is confidential because Enter reason.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section

B. THE BUSINESS MATTER**16.1 APPOINTMENT OF INDEPENDENT MEMBERS FOR COUNCIL DEVELOPMENT ASSESSMENT PANEL (CDAP)**

See Attachment No: 1. CDAP EOI Applications & Interview Summary Table

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff

Purpose

To obtain a resolution from the Council for the appointment of Independent Members and a Presiding Member to the Council Development Assessment Panel.

STAFF RECOMMENDATION

1. The four individuals recommended by the interview panel being,

are appointed as Independent Members of the Playford CDAP from 1 April 2015 until 31 March 2017.

2. _____ is recommended by the interview panel to be appointed as the Presiding Member of the Playford CDAP from 1 April 2015 until 31 March 2017.

Relevance to Strategic Plan

Strategy 5. Building our capabilities

Outcome 5.1 Highly performing organisation

Relevance to Public Consultation Policy

Nil

Background

At its Ordinary Meeting in January of 2015, the Council resolved as follows:

1. *That Council endorses the Council Development Assessment Panel Terms of Reference as per attachment 1.*
2. *That Council appoints Cr Rentoulis, Cr Baker and Cr Federico as Members of the Council Development Assessment Panel for a term commencing on 01 April 2015 and expiring on 31 October 2016.*
3. *If required, the private ballot process outlined in the Code of Practice for Council, Special Council and Committee Meetings – Section 17 be utilised to elect the Council Members to the Council Development Assessment Panel, with the results of the ballot becoming the outcome.*
4. *That the Independent Member positions are advertised by way of an Expression of Interest process, and a further report be brought to Council for appointment of the Independent Members and Presiding Member at a future Council Meeting.*

The Charter for CDAP and the Development Act 1993 provides for four Independent Members and three Councillors on the Panel. The appointment of the three Councillors to CDAP was made at the Council Meeting held in January 2015.

The Council advertised for the 4 independent members of the Panel by way of request for an Expression of Interest (EOI) process and a total of 16 responses were received.

A selection panel consisting of:

- Matt Romaine, Practice Manager - Planning Assurance;
- Rob Veitch, Practice Manager - Development & Infrastructure (and Executive Officer - CDAP); and,
- Michael White, Practice Manager - Planning Strategy

undertook a short-listing process and subsequently interviewed 4 Applicants. The interview panel has recommended that the 4 interviewed Applicants be appointed as the 4 Independent Members to the CDAP, and that 1 of the 4 be appointed as the Presiding Member.

In shortlisting the Applicants, the Administration considered the following criteria:

- Local Government knowledge;
- Qualifications and professional associations;
- Knowledge of the Development Act (1993) and Regulations (2008); and,
- Experience.

Council is now required to endorse the appointment of the Independent Members, and appoint the Presiding Member

Analysis of Issues

The Development Act (1993) dictates that the following provisions will apply in relation to the constitution and membership of a Council Development Assessment Panel:

- A Panel must consist of 7 members;
- The Presiding Member will be appointed by the Council taking into account the following requirements:

- The Presiding Member must not be a member or officer of the Council;
 - The Presiding Member must be a fit and proper person to be a member of a Council Development Assessment Panel;
 - The Presiding Member must be a person who is determined by the Council to have a reasonable knowledge of the operation and requirements of the Development Act (1993), and appropriate qualifications or experience in a field that is relevant to the activities of the Panel;
- The remaining members of the Panel will be independent of the Council, and appointed by the Council taking into account the following requirements:
 - Each must be a fit and proper person to be a member of a Council Development Assessment Panel; and
 - Each must be a person who is determined by the Council to have a reasonable knowledge of the operation and requirements of the Development Act (1993), and appropriate qualifications or experience in a field that is relevant to the activities of the Panel; and
 - The qualifications and experience of these members, when considered in conjunction with the qualifications and experience of the Presiding Member, must provide a reasonable balance across the fields that are relevant to the activities of the Panel.

Options

Option 1

1. The four individuals recommended by the interview panel being,

_____ are appointed as Independent Members of the Playford CDAP from 1 April 2015 until 31 March 2017.
2. _____ is recommended by the interview panel to be appointed as the Presiding Member of the Playford CDAP from 1 April 2015 until 31 March 2017.

Option 2

1. The four individuals recommended by Council being,

_____ are appointed as Independent Members of the Playford CDAP from 1 April 2015 until 31 March 2017.
2. _____ is recommended by the Council to be appointed as the Presiding Member of the Playford CDAP from 1 April 2015 until 31 March 2017.

Analysis of Options

Option 1

Further to the Council's resolution made in the January 2015 Ordinary Meeting, both the Presiding Member and the Independent Members recommended to be appointed to the Council Development Assessment Panel have been selected following an EOI process whereby:

- An advertisement calling for Expressions of Interest for both a Presiding Member and Independent Members was placed on Council's website, in the local Messenger, and in the Advertiser;
- The advertisement provided the public in general with a period of 12 business days within which to submit an expression of interest;
- Upon receipt of all Expressions of Interest, the Applicants were shortlisted for an interview/discussion with senior managers of the Administration (refer **Attachment 1**); and,
- In shortlisting the applications for interview, qualifications, work experience, local knowledge and previous experience on Council Development Assessment Panels or the Development Assessment Commission were all key considerations.

Option 2

While Option 1 constitutes the staff recommendation and is the product of a fair and transparent selection process, it is still open to the Council to appoint alternate Independent Members (including a Presiding Member) to the Council Development Assessment Panel.

Attachment 1 contains a detailed summary of all of the Expressions of Interest submitted to Council, including those recommended by the interview panel under Option 1, and the Council can give consideration to other Applicants in the event that the Council resolves to adopt Option 2.

Financial Implications

Sitting fees for independent members of Committees of Council are remunerated at a rate set by the Council via resolution. Accordingly, sufficient funding is included in Council's recurrent operating budget for payment of sitting fees.

Preferred Options and Justification

Option 1 is the preferred option by virtue of the fact that the candidates recommended to be appointed as independent members of the Council Development Assessment Panel have been selected following a transparent and thorough Expression of Interest process as detailed earlier in this report.

Further, and with a cross-section of expertise in varying fields, the 4 candidates selected (including the Presiding Member) satisfy the requirements of the Development Act (1993) in that they are all fit and proper people, and possess a reasonable balance of skills and experience across the fields that are relevant to the activities of the Panel.

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 16.1 IS TO BE KEPT IN CONFIDENCE**Purpose**

To resolve how long agenda item 16.1 is to be kept confidential.

STAFF RECOMMENDATION

That pursuant to Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.1 be kept confidential:

- Attachment 1 for Item 16.1 until the next scheduled annual review of confidential items
- Discussion for Item 16.1 until the next scheduled annual review of confidential items

OptionsOption 1

That pursuant to Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.1 be kept confidential:

- Attachment 1 for Item 16.1 until the next scheduled annual review of confidential items
- Discussion for Item 16.1 until the next scheduled annual review of confidential items

Option 2

The Council determines a different timeframe for any “in confidence” aspects of agenda item 16.1 to remain in confidence.

Analysis of OptionsOption 1

This item, with the exception of the Council decision, is excluded from the public on the basis that it relates to Section 90(3) (a) of the Local Government Act 1999.

Reason for Releasing Aspects

The Council decision to appoint 4 Independent Members to the CDAP, including a Presiding Member, is in the public and community interest.

Reason for keeping certain aspects in confidence

The Council Report, Attachment 1 and Discussion contain information which includes personal details of Applicants.

Option 2

The Council may determine a different timeframe for any “in confidence” aspects of agenda item 16.1 to remain in confidence.

It is recommended that the Council Report, Attachment 1 and the Discussion be kept confidential until the next scheduled annual review of confidential items or subject to a different timeframe set by the Council.

16.2 ANNUAL REVIEW OF THE CONFIDENTIAL ITEMS REGISTER

Contact Person: Rosemary Munslow

Why is this matter confidential?

Subject to an order pursuant to Sections 90(3) (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (m) (n) of the Local Government Act 1999, this matter is confidential because the Confidential Items Register contains matters which Council has previously resolved to be kept confidential.

A. COUNCIL/COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE

No action – this motion passed in the open section

B. THE BUSINESS MATTER**16.2 ANNUAL REVIEW OF THE CONFIDENTIAL ITEMS REGISTER**

See Attachment No: 1. Confidential Items Register - Items to be remain in confidence
2. Confidential Items Register - Items to be released

Why is this matter before the Council or Committee?

Matters which cannot be delegated to a Committee or Staff

Purpose

To review items which have been resolved by Council to be confidential and ascertain whether they should be released from confidential status and placed in the public arena or remain confidential due to the ongoing nature of the project or issue.

STAFF RECOMMENDATION

1. That items in Attachment 1 remain in confidence and remain listed on the confidential items register until the next annual review.
2. That items in Attachment 2 be released to the public.

COMMITTEE RESOLUTION**2084**

1. That items in Attachment 1 remain in confidence and remain listed on the confidential items register until the next annual review.
2. That items in Attachment 2 be released to the public.

Relevance to Strategic Plan

Strategy 5. Building our capabilities

Outcome 5.1 Highly performing organisation

Relevance to Public Consultation Policy

There is no requirement to consult the community on this matter. The Local Government Act resolves that the confidential status of items should be reviewed on an annual basis to determine if any items should be released into the public domain.

Background

A review of all the confidential items is undertaken to ensure information that is able to be released into the public domain occurs and Council remains transparent in its decision making process.

Section 90 and 91 of the Local Government Act outline the conditions when Council may consider items in confidence and under what conditions they may be retained in a confidential status.

As items are put into confidence by a Council resolution it is also a requirement for Council to review the status of these items in every year and determine whether they should be retained as confidential or released into the public arena.

The last review of confidential items occurred in 26 November 2013. This review of the confidential items register covers decisions made in the period from 24 October 1997 to 31 December 2014. It is assumed that decisions made in confidence prior to 1997 complied with the provisions of the Local Government Act at that point in time.

Council can resolve to keep discussion, decisions, reports or attachments confidential provided the matter complies with one of the following provisions:

Section 90(3) -

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (b) information the disclosure of which—
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest;
- (c) information the disclosure of which would reveal a trade secret;
- (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;
- (e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
- (f) 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;
- (g) matters that must be considered in confidence in order to ensure that the

council does not breach any law, order or direction of a court or tribunal law, any duty of confidence, or other legal obligation or duty;

- (h) legal advice;
- (i) 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;
- (j) 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 the council); and
 - (iii) 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;
- (m) information relating to a proposed amendment to a Development Plan under the *Development Act 1993* before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;
- (n) information relevant to the review of a determination of a council under the *Freedom of Information Act 1991*.

Analysis of Issues

Council uses the confidential provisions within the Local Government Act 1999 only when it believes the information to be discussed meets one of the provisions in Section 90(3) of the Act.

The review of confidential items provides an opportunity to determine which items should maintain their confidentiality status and which items no longer need to be kept confidential.

This review has found items which may be released from confidential status if the Council resolves to do so as scheduled in Attachment 2. Items listed in Attachment 1 identify the items recommended to maintain their confidential status. Attachment 3 outlines those items that have been released automatically in accordance with Council's decision.

Options

Option 1

1. That items in Attachment 1 remain in confidence and remain listed on the confidential items register until the next annual review.
2. That items in Attachment 2 be released to the public.

Option 2

That all items remain in confidence with the exception of the following items:

1. _____
2. _____
3. _____

Analysis of Options

Option 1

Items in Attachment 1 remain in confidence and remain listed on the confidential items register until the next annual review as they meet the provisions set by Council or still apply as a confidential matter.

Items in Attachment 2 can be released into the public as they meet the provisions set by Council or no longer apply as a confidential matter.

Option 2

Council may determine that all items remain in confidence with the exception of items to be determined by the Council.

The Council could decide which items it wants to release to the public. It may include other items from Attachment 1. It may also be Council's wish to maintain some of the items suggested for release in Attachment 2 to be kept confidential.

Council must take into account the provisions of the Local Government Act when considering is matters should remain in confidence or be released to the public.

Financial Implications

There are no financial implications in releasing information from confidential status. The only issue which Council could face is if the premature release of information occurred and this resulted in legal action being taken by a third party. The possibility of this is reduced substantially as Managers who are familiar with the project status of each item offer advice to Council on the release or otherwise of the information

Preferred Options and Justification

Option 1 is the preferred option. A thorough review of the current items held in confidence by Council has been undertaken and Officers who are closely associated with the status of the projects or issues have provided their advice on whether the items should be released or kept confidential.

Meeting	Date	Item No	Item Heading & Responsible Manager	Section of Local Govt Act 1999	Type of Information	Review Dates	Review Recommendation	Reason to keep in confidence	Retain until next annual review / Release
Community & Corporate Services Committee	10/04/1997	8			Report	26/11/2013			Next scheduled annual review
Ordinary Council	26/09/2000	13.4	Elizabeth City Centre-Agreement for Proposed Re-Development	90(3)(d)	Attachment - Review of Feasibility Study for Elizabeth City Centre Redevelopment	11/09/2001 25/10/2011 Keep in confidence 27/11/2012 26/11/2013	Attachment remains confidential as it contains commercially sensitive information which could confer a commercial advantage on a third party. The redevelopment of the Elizabeth City Centre is continuing and the document contains sensitive information on the operations of the Elizabeth City Centre which if released could afford a competitor shopping centre owner to gain substantially from the type of information within the attachment.	Agreement still in place.	Next annual review
City Assets & Services Committee (Formally Community and Environment Committee)	13/09/2005	11.4	Whelan Kartway Contract		Report Attachments	26/11/2013	Next scheduled annual review		Next scheduled annual review
Ordinary Council	27/09/2005	12.4	Whelan Kartaway Contract Responsible Manager: Shaun Kennedy General Description – Seeking direction on the arbitration between Playford and Whelan Kartaway	90(3)(h)	Debate, Report, Attachments & Decision	27/06/2006 9/06/2009 22/06/2010 25/10/2011 GP advice was to keep 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision remain confidential as legal issue not fully resolved.	Contract is still in place and is appropriate to keep confidential.	Next annual review
CDAP	20/04/2009	5.8	Appeal of CDAP Discussion, Land Division (2 into 63)		Report Attachment Discussion Decision		Shall be kept confidential until the next annual review	Report Attachment Discussion Decision	Next annual review
City Assets & Services Committee (Formally Community and Environment Committee)	28/04/2009	10.4	Statement of intent Flood prone areas		Report Attachments	26/11/2013	Next scheduled annual review		Next annual review
City Assets & Services Committee (Formally Community and Environment Committee)	25/05/2009	14.1	Statement of intent Flood prone areas		Report Attachment Discussion Decision				

City Assets & Services Committee (Formally Community and Environment Committee)	15/03/2011	6.1.1	Service Review Transfer Station Services Section Responsible Manager: Andrew Nesbitt and Shaun Kennedy	90(3)(d)	Attachments(s) for item 6.1.1 - Decision for Item 6.1.1, if different from the staff recommendation	25/10/11 27/11/2012 26/11/2013	Kept confidential until the matter is finalised.	Contains information relating to other commercial entities.	Next annual review
Ordinary Council	14/06/2011	16.1.1	Development Compliance Matter Responsible Manager - Rob Veitch / Shaun Kennedy	90(3)(a)&(f)	Attachment for item 16.1, discussion and decision.	25/10/2011 27/11/2012		Information contains the personal affairs of a person. Pursing legal action	Next annual review
Chief Executive Officer Performance Review Committee	24/10/2011	3.2.1	External Facilitator Performance Review	90(2)	Decision				
Ordinary Council	25/10/2011	15.2	NAWMA Evaluation Report Responsible Manager: Andrew Nesbitt / Sam Green	90(3)(b) & - (d)	Attachment 1	27/11/2012 26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items.	To maintain confidence in respect to the Tender Evaluation Report – release could confer a commercial advantage or prejudice the commercial position of the person with whom Council is conducting	Next annual review
Ordinary Council	25/10/2011	15.2		90(3)(a),(b),(d), (h) and (i)	Discussion Attachment 1	27/11/2012 26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items		Next annual review
Ordinary Council	28/02/2012	16.1	Allegation of Breach of Conduct Responsible Manager:	90(3)(a)	Report Decision, Discussion, Minutes	27/11/2012 26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items	Relates to the personal affairs of a person	Next annual review
Ordinary Council	24/07/2012	16.1	NAWMA Board Membership	90(3)(a)	Attachment and Discussion	26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items.	Attachment and Discussion as the documentation	Next annual review
Strategic Planning Committee	21/08/2012	7.1	Virginia nursery Future Options		Report Attachments	26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Attachments	Next scheduled annual review
Ordinary Council	28/08/2012	16.1	NAWMA Board Membership Responsible Manager: Andrew Nesbitt / Shaun Kennedy	90(3)(a)	Attachment and Discussion	26/11/2013	Under Section 91(7) of the Local Government Act an order be made that the Attachment, and Discussion, for Item 16.1 having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next scheduled annual	Attachment and Discussion as the documentation contains personal information of individuals.	Next annual review
Ordinary Council	25/09/2012	16.1	NAWMA Board Membership Responsible Manager: Andrew Nesbitt / Shaun Kennedy	90(3)(a)	Attachment and Discussion	26/11/2013	Under Section 91(7) of the Local Government Act an order be made that the Attachment, and Discussion, for Item 16.1 having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next scheduled annual	Attachment and Discussion as the documentation contains personal information of individuals.	Next annual review

Ordinary Council	18/12/2012	16.1	Release of the States growth for Playford annual plan						
Chief Executive Officer Performance Review Committee	11/02/2013	3.2.2	Review of External Consultant of the Committee	90(3)(a)	Discussion	26/11/2013	Next scheduled annual review	Discussion	Next scheduled annual review
Ordinary Council	26/02/2013	16.1	Appointment Of Council Development Assessment Panel Members 2013-15 - Independent Members Responsible Manager: Rosemary Munslow / Effrim Volkoff	90(3)(a)	Attachments and Discussion Note: Decision was released to the public in open minutes as per the Council Resolution	26/11/2013	Next scheduled annual review	Attachments and Discussion	Next scheduled annual review
City Assets & Service Committee	13/08/2013	8.1	Libraries in Northern Playford	90(3)(d)	Report Attachments Discussion Recommendation	26/11/2013	Shall be kept confidential until the conclusion of the matter or the next scheduled annual review of confidential items, whichever occurs first.	Report Attachments Discussion Recommendation	Shall be kept confidential until the conclusion of the matter or the next scheduled annual review of confidential items
Ordinary Council	27/08/2013	16.1	Libraries in Northern Playford	90(3)(d)	Report for Item 16.1 Attachment(s) for 16.1 Discussion for Item 16.1	26/11/2014			
Ordinary Council	24/09/2013	16.1	Code of Conduct - Investigation Outcomes	90(3) (a)	Report for Item 16.1 Attachment(s) for 16.1	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Attachments Discussion Decisions Minute	Next scheduled annual review
Ordinary Council	26/11/2013	16.2	Playford Projects - Infrastructure Negotiations - Angle Vale And Playford North Extension	90 (3) (b)	Report Attachments Discussion Decisions	27/11/2014 or once decision is reached	shall be kept confidential until the Council consider the matter and determine which aspects of this item are to be released and the duration of which they are to remain confidence.	Report Attachments Discussion Decisions	shall be kept confidential until the Council consider the matter and determine which aspects of this item are to be released and the duration of which they are to remain confidence.
City Assets & Service Committee	10/12/2013	8.1	Libraries in Northern Playford - update	90(3)(b)	Report Attachments Discussion Decisions	26/11/2014	Next scheduled annual review	Report Attachments Discussion Decisions	Next scheduled annual review
Chief Executive Officer Performance Review Committee	26/05/2014	3.1.1	External HR Support - Review	90(3)(a)	Discussion and Decision				

Meeting	Date	Item No	Item Heading & Responsible Manager	Section of Local Govt Act 1999	Type of Information	Review Dates	Review Recommendation	Reason to keep in confidence	Retain until next annual review / Release
Corporate Governance Committee	7/09/2010	5.5	Appointment of External Auditor	90(3)(b)	Attachment 1	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items		Next annual review
Ordinary Council	14/09/2010	14.4	Appointment of External Auditor	90(3)(b)	Attachment 1	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items		Next annual review
&Enterprises Committee) Formally Economic and Corporate Committee)	11/10/2011	6.1	Annual Review of the Status of Confidential Items Responsible Manager: Rosemary Munslow / Effrim Volkoff	90(3)(b) & - (d)	Attachment 1	27/11/2012 26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items	To maintain confidence in respect to the Tender Evaluation Report – release could confer a commercial advantage or prejudice the commercial position of the person with whom Council is conducting business.	Next annual review
City Strategy & Enterprises Committee) Formally Economic and Corporate Committee	13/11/2012	8.1	2012 Annual Review Of The Status Of Confidential Matters Responsible Manager: Rosemary Munslow / Effrim Volkoff	90 (3) of the Local Government Act 1999 (a) (b) (d) (f) (g) (h) (i)	Items in Attachment 1 and Discussion	26/11/2013	Next scheduled annual review.	Items in Attachment 1 and Discussion	Next scheduled annual review
Ordinary Council	27/04/2011	16.1.1	Potential Change in Property Use Responsible Manager: Paul Alberton / Mal Hemmerling (This is in relation to Lot 479 Myall Avenue Munno Para)	90(3)(d)	Debate, Agenda, Decision and Minutes	25/10/2011 (* Attachment 1 only Released) 27/11/2012 26/11/2013	Shall be kept confidential until the matter is concluded.		Next annual review
Ordinary Council	24/07/2012	16.2	Flood Mitigation Options For Manchester Circuit, Craigmore Responsible Manager: Paul Alberton / Mal Hemmerling	90(3)(b)(i) and (ii)	Report, Attachments, and Discussion Decision to remain in confidence until staff have advised Stakeholders of Council's decision.	26/11/2013	Under Section 91(7) of the Local Government Act an order be made that the Attachment, and Discussion, for Item 16.2 having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next scheduled annual review.	The matter is to be considered confidential as it contains valuations on property for which Council may in considering this report enter into a statutory process of land acquisition which	Next annual review
Ordinary Council	26/03/2013	16.1	Potential Purchase of Land Responsible Manager: Paul Alberton / Mal Hemmerling (This is in relation to 3 Crockerton Road Elizabeth)	90(3)(b)	Report for Item 16.1 Attachment(s) for 16.1 Discussion for Item 16.1 Decision for Item 16.1	26/11/2013	Next scheduled annual review	Report for Item 16.1 Attachment(s) for 16.1 Discussion for Item 16.1 Decision for Item 16.1	Next scheduled annual review

City Assets & Service Committee	9/04/2013	7.1	Options For The Future Of Bowling Within Playford Responsible Manager: Paul Alberton / Mal Hemmerling	90(3)(b)(i) and (ii)	Report for Item 7.1 Attachment(s) for Item 7.1 Discussion for Item 7.1 Recommendation for Item 7.1	26/11/2013	Next scheduled annual review	Report for Item 7.1 Attachment(s) for Item 7.1 Discussion for Item 7.1 Recommendation for Item 7.1	Next scheduled annual review
Ordinary Council	23/04/2013	16.1	Options For The Future Of Bowling Within Playford	90(3)(b)(i) and (ii)	Report for Item 16.1 Attachment(s) for 16.1	26/11/2013	Report, Attachments and Discussion next scheduled	Report, Attachments and Discussion	Next scheduled annual review
Special Council	15/10/2013	5.1	Potential Purchase Of Land Responsible Manager: Paul Alberton / Mal Hemmerling	90(3)(b)	Report Attachments Discussion Decision	26/11/2014	Next scheduled annual review	Report Attachments Discussion Decision	Next scheduled annual review
CDAP	20/04/2009	5.8	Appeal of CDAP Discussion, Land Division (2 into 63)		Report Attachment Discussion Decision		Shall be kept confidential until the next annual review	Report Attachment Discussion Decision	Next annual review
CDAP Special	4/05/2009	4.2	Land Division (2 into 63)		Report Attachment Discussion Decision		Shall be kept confidential until the next annual review	Report Attachment Discussion Decision	Next annual review
CDAP	15/06/2009	6.1	2009 Annual Review of the status of CDAP Confidential Items	90(3)(a),(b),(d),(h) and (i)	Discussion Attachment 1	27/11/2012 26/11/2013	Shall be kept confidential until the scheduled annual review of confidential items	Discussion Attachment	Next annual review
CDAP	17/08/2009	6.1	Telecommunications Facility - Antennae		Discussion		Shall be kept confidential until the next annual review	Report Attachment Discussion Decision	Next annual review
Ordinary Council	25/06/2013	16.1	Appointment of Community Organisations and Individual Members to Civic Events Committee	90(3)(a)	Attachments and Discussion	26/11/2013	Attachments and Discussion until next scheduled annual review.	Attachments and Discussion	Next scheduled annual review
City Assets & Services Committee (Formally Community and Environment Committee)	28/04/2009	10.4	Statement of intent Flood prone areas		Report Attachments	26/11/2013	Next scheduled annual review		Next annual review
City Assets & Services Committee (Formally Community and Environment)	25/05/2009	14.1	Statement of intent Flood prone areas		Report Attachment Discussion Decision				

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CONFIDENTIAL REGISTER

Strategic Planning Committee	20/03/2012	8.1	Civic Precinct Master Plan Concept	90(3)(b)	Discussion				
Strategic Planning Committee	11/12/2012	7.1	Release of the States growth for Playford annual plan		Report Attachement Discussion Decision	26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Attachement Discussion Decision	Next scheduled annual review
Ordinary Council	18/12/2012	16.1	Release of the States growth for Playford annual plan						
Strategic Planning Committee	17/09/2013	9.1	Playford Projects Negotiations	90(3)(b)	Report for Item 9.1	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Discussion Presentation	Next scheduled annual review
Strategic Planning Committee	15/10/2013	9.1	Playford Projects: Infrastructure Negotiations	90(3)(b)	Report for Item 9.1	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Discussion Presentation	Next scheduled annual review

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CONFIDENTIAL REGISTER

Strategic Planning Committee	19/11/2013	9.1	Playford Projects: Infrastructure Negotiations	90 (3) (b)	Presentation Discussion	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Presentation	Next scheduled annual review
Strategic Planning Committee	19/11/2013	9.2	Playford Projects: Prudential Review	90 (3) (b)	Discussion Presentation	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Discussion Presentation	Next scheduled annual review
Strategic Planning Committee	19/11/2013	9.3	Playford Projects - Infrastructure Negotiations - Angle Vale And Playford North Extension	90 (3) (b)	Discussion Presentation	26/11/2014	Shall be kept confidential until the next scheduled annual review of confidential items.	Discussion Presentation	Next scheduled annual review
Strategic Planning Committee	19/11/2013	9.1	Playford Projects: Infrastructure Negotiations	90 (3) (b)	Discussion Presentation	26/11/2014 or at execution of the first infrastructure deed	shall be kept confidential until the next scheduled annual review of confidential items, or the execution of the first infrastructure deed with landowners in Virginia, Angle Vale and Playford North Extension inclusive.	Discussion Presentation	26/11/2014 or at execution of the first infrastructure deed
Strategic Planning Committee	19/11/2013	9.2	Playford Projects: Prudential Review	90 (3) (b)	Discussion Presentation	26/11/2014	shall be kept confidential until the next scheduled annual review of confidential items, or the execution of the first infrastructure deed with landowners in Virginia, Angle Vale and Playford North Extension inclusive.	Discussion Presentation	Next scheduled annual review

Strategic Planning Committee	19/11/2013	9.3	Playford Projects - Infrastructure Negotiations - Angle Vale and Playford North Extension	90 (3) (b)	Discussion Presentation	26/11/2013	shall be kept confidential until the next scheduled annual review of confidential items, or the execution of the first infrastructure deed with landowners in Virginia, Angle Vale and Playford North Extension inclusive.	Discussion Presentation	Next scheduled annual review
Ordinary Council	26/11/2013	16.2	Playford Projects - Infrastructure Negotiations - Angle Vale And Playford North Extension	90 (3) (b)	Report Attachments Discussion Decisions	27/11/2014 or once decision is reached	shall be kept confidential until the Council consider the matter and determine which aspects of this item are to be released and the duration of which they are to remain confidence.	Report Attachments Discussion Decisions	shall be kept confidential until the Council consider the matter and determine which aspects of this item are to be released and the duration of which they are to remain confidence.
Special Council	15/08/2006		CEO's Performance Review Responsible Manager - Tim Jackson General Description - Information related to employee's performance reviews and assessment	90(3)(a)	Only keep discussion in confidence	9/06/2009 22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision remain confidential as they contain information related to employees' contract and work assessment	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	23/01/2007	12.5	Legal Support for Elected Members and Staff Responsible Manager - Tim Jackson General Description - A request for indemnity under the Local Gov Act from Cr Norris	90(3)(i)	Debate, Report, Attachments & Decision	9/06/2009 22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision remain confidential as legal issue involves Councillors	Debate, Report, Attachments & Decision remain confidential as legal issue involves Councillors	Next annual review
Ordinary Council	13/02/2007	12.5	Request for Legal Support Responsible Manager - Tim Jackson General Description - A	90(3)(i)	only keep discussion in confidence	9/06/2009 22/06/2010 25/10/2011 27/11/2012 26/11/2013	Remain confidential as legal issue involves Councillors	Remain confidential as legal issue involves Councillors	Next annual review
Chief Executive Officer Performance Review Committee	30/07/2007								

Ordinary Council	14/08/2007	12.4	Legal Matter Responsible Manager - Tim Jackson General Description –	90(3)(i)	Debate, Report, Attachments & Decision	9/06/2009 22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision remain confidential as legal issue involves Councillors	Debate, Report, Attachments & Decision remain confidential as legal issue involves Councillors	Next annual review
Ordinary Council	9/06/2009	14.1	2009 Annual Review of the status of Confidential Items Responsible Manager: Rosemary Munslow / Effrim	90(3)(a),(b),(d), (h) and (i)	Discussion Attachment 1	27/11/2012 26/11/2013	Shall be kept confidential until the scheduled annual review of confidential items		Next annual review
Chief Executive Officer Performance Review Committee	31/08/2009	5.3	CEO's Performance Review for 2008/2009 Responsible Manager - Tim Jackson	90(3)(a)	Attachment 1 Debate	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Attachment remain confidential until next scheduled annual review of confidential items.	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	8/09/2009	16.3	CEO's Performance Review Responsible Manager – Tim Jackson General Description – To seek feedback from	90(3)(a)	Attachment 1 Debate	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Attachment remain confidential until next scheduled annual review of confidential items.	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	18/11/2009	3.1	CEO's Performance Review for 2008/2009 Responsible Manager - Tim Jackson General Description – Attachment reviewing Elected Member and Staff Feedback regarding the	90(3)(a)	Attachment 1	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision and minutes remain confidential as they contain information related to employees' contract and work arrangements	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	18/11/2009	5.1	Process for CEO Employment Contract Changes	90(3)(a)	Attachment 1	22/06/2010 25/10/2011 27/11/2012	Debate, Report, Attachments & Decision and minutes remain confidential as they contain	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	8/12/2009	14.2	CEO's Performance Review 2008/2009 Responsible Manager – Tim Jackson General Description – to note the satisfactory completion of the	90(3)(a)	Attachment 1 - 4	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision and minutes remain confidential as they contain information related to employees' contract and work arrangements	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	8/12/2009	14.3	CEO's Annual Remuneration Review 2008/2009 Responsible Manager – Tim Jackson	90(3)(a)	Attachment 1 - 4	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report, Attachments & Decision and minutes remain confidential as they contain information related to employees' contract and work arrangements	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	8/12/2009	14.4	CEO's Contract Extension Responsible Manager – Tim Jackson General Description – to	90(3)(a)	Debate, Report & Decision	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report & Decision and minutes remain confidential as they contain information related to employees' contract and work arrangements	Relates to the personal employment details of the CEO.	Next annual review

Chief Executive Officer Performance Review Committee	24/02/2010	3.1.1	CEO Performance Review Committee Facilitator – Review of Performance & Contractual Arrangements	90(3)(a)	Debate, Report & Decision	22/06/2010 25/10/2011 27/11/2012 26/11/2013	Debate, Report & Attachments remain confidential as they contain information that has been considered confidential under Section 90(3)(a)	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	23/06/2010	3.2.1	Contractual Matters Raised by the CEO Responsible Manager – Tim Jackson	90(3)(a)	Debate, Report, Decision, Attachments	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	11/08/2010	3.1.1 & 3.2.1	Chief Executive Officer's Performance Review & CEO Employment Contract Extension and Annual Review of Remuneration for the CEO Responsible Manager – Tim Jackson General Description – Proposed Contractual Matters	90(3)(a)	Debate, Report, Decision, Minutes	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items	Relates to the personal employment details of the CEO.	Next annual review
Ordinary Council	24/08/2010	14.1 – 14.4	Chief Executive Officer's Performance Review & CEO Annual Review of	90(3)(a)	Discussion, Report, Decision, Minutes	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	25/08/2010	3.1.1 & 3.3.1	External Facilitator Performance Review & Remuneration Review and Negotiations Responsible Manager – Tim Jackson General Description	90(3)(a)	Discussion, Report, Decision, Minutes	25/10/2011 27/11/2012 26/11/2013	Kept confidential until the next scheduled annual review of confidential items		Next annual review
Chief Executive Officer Performance Review Committee	9/05/2011	3.1.1	CEO Review Additional Feedback from EM after 2010 review Responsible Manager: Tim Jackson	90(3)(a)	Report, discussion and Attachment 1 for agenda item 3.1.1	25/10/2011 27/11/2012 26/11/2013	Next scheduled annual review of confidential items	Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	5/09/2011	3.1.1	CEO Contract of Employment proposed contract clauses. Responsible Manager: Tim Jackson	90(3)(a)	Report, discussion and attachments for agenda item 3.1.1	25/10/2011 27/11/2012 26/11/2013		Relates to the personal employment details of the CEO.	Next annual review
Chief Executive Officer Performance Review Committee	5/09/2011	3.1.2	CEO Performance Review 2010/2011 Outcomes and Extension of Contract Section 90(3) (a) Responsible Manager: Tim Jackson	90(3)(a)	Report, Discussion and Attachments for agenda item 3.1.2	25/10/2011 27/11/2012 26/11/2013	Shall be kept confidential until the next scheduled annual review of confidential items.	Relates to the personal employment details of the CEO.	Next annual review

Ordinary Council	31/01/2012	16.1	CEO's Remuneration Responsible Manager: Tim Jackson	90(3)(a)	Discussion Decision	27/11/2012 26/11/2013	Discussion - Shall be kept confidential until the next scheduled annual review of confidential items. Decision - Until the CEO Perf Rev Committee has agreed on a remuneration package with the CEO	Relates to the personal employment details of the CEO	Next annual review
Chief Executive Officer Performance Review Committee	8/10/2012	3.1	CEO's Performance Review 2011/2012: Feedback and Self Assessment						
Ordinary Council	23/10/2012	16.1	Allegation of breach of Code of Conduct CEO's Contract of Employment	90(3)(a)					
Chief Executive Officer Performance Review Committee	12/11/2012	3.1.1	CEO's Contract Of Employment Responsible Manager: Tim Jackson	90(3)(a)	Report, Attachment(s), Discussion Decision for Item 3.1.1 having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next scheduled annual review	26/11/2013	1) the Report, Attachment(s), Discussion for Item 3.1.1 having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next scheduled annual review	Report, Attachment(s) and Discussion as the documentation contains personal information of individuals.	Report, Attachment(s), Discussion at next annual review Decision Release TBC
Chief Executive Officer Performance Review Committee	12/11/2012	3.2.1	Terms of the Contract Responsible Manager: Tim Jackson	90(3)(a)	Discussion and Decision	26/11/2013	Under Section 91(7) of the Local Government Act an order be made that: - the Discussion for Item 3.2.1	Discussion and Decision	(David Chehade to Decision Release TBC (David Chehade / Tim Jackson to confirm if decision can be
Chief Executive Officer Performance Review Committee	12/11/2012	3.2.2	Review of the CEO's Quarterly Performance Responsible Manager: Tim Jackson	90(3)(a)	Attachments and Discussion	26/11/2013	Under Section 91(7) of the Local Government Act an order be made that the Attachment(s) and Discussion for Item 3.2.2 having been dealt with in	Attachments and Discussion	Next scheduled annual review
Chief Executive Officer Performance Review Committee	11/02/2013	3.2.2	Review of External Consultant of the Committee Responsible Manager: Tim Jackson	90(3)(a)	Discussion	26/11/2013	Next scheduled annual review	Discussion	Next scheduled annual review

Chief Executive Officer Performance Review Committee	11/02/2013	3.2.1	Review the CEO's Quarterly Performance Responsible Manager: Tim Jackson	90(3)(a)	Attachments and Discussion	26/11/2013	Next scheduled annual review	Attachments and Discussion	Next scheduled annual review
Chief Executive Officer Performance Review Committee	1/07/2013	3.1.1	Review the CEO's Quarterly Performance Responsible Manager: Tim Jackson	90(3)(a)	Attachments and Discussion	26/11/2013	Next scheduled annual review.	Attachments and Discussion	Next scheduled annual review (David Chehade / Tim to determine release)
Ordinary Council	26/11/2013	16.3	Playford Projects - Prudential Review	90 (3) (b)	Report Attachments Discussion Decisions	16/11/2014	until the next scheduled annual review of confidential items, or the execution of the first infrastructure deed with landowners in Virginia, Angle Vale and Playford North Extension	Report Attachments Discussion Decisions	until the next scheduled annual review of confidential items, or the execution of the first infrastructure deed with landowners in Virginia, Angle Vale and Playford North
Chief Executive Officer Performance Review Committee	4/11/2013	3.1.1	Review The CEO's Quarterly Performance	90(3)(a)					
Chief Executive Officer Performance Review Committee	4/11/2013	4.1.1	Ceo's Performance Review 2012/13: Feedback And Self-Assessment	90(3)(a)					
Chief Executive Officer Performance Review Committee	4/11/2013	4.1.2	Ceo's Contract Of Employment	90(3)(a)					
City Strategy & Enterprise Committee	12/11/2013	9.1	2013 Annual Review of the Status of Confidential Items	90 (3) (a) (b) (d) (f) (g) (h) (i) (k)	Report Attachments Discussion	13/11/2013	Once dealt with shall be made public	Report Attachments Discussion	Once dealt with shall be made public
Special Council	19/11/2013	4.1	CEO's Performance Review 2012/13: Feedback and Self-Assessment	90(3)(a)	Report Attachments Discussion Decision	26/11/2014 or at execution of the first infrastructure deed	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Attachments Discussion Decision	26/11/2014 or at execution of the first infrastructure deed
Special Council	19/11/2013	4.2	CEO's Contract of Employment	90(3)(a)	Report Attachments Discussion Decision	26/11/2014 or at execution of the first infrastructure deed	Shall be kept confidential until the next scheduled annual review of confidential items.	Report Attachments Discussion Decision	26/11/2014 or at execution of the first infrastructure deed
Chief Executive Officer Performance Review Committee	25/11/2013	4.1.1	CEO's Performance Review 2012/13: Feedback and Self-Assessment	90(3)(a)	Report Attachments Discussion	1/11/2016	shall be kept confidential until 1 November 2016	Report Attachments Discussion	shall be kept confidential until 1 November 2016

Chief Executive Officer Performance Review Committee	25/11/2013	4.1.2	CEO's Contract of Employment	90(3)(a)	Report Attachments Discussion	1/11/2016	shall be kept confidential until 1 November 2016	Report Attachments Discussion	shall be kept confidential until 1 November 2016
Chief Executive Officer Performance Review Committee	25/11/2013	4.1.3	Remuneration Benchmarking	90(3)(a)	Report Attachments Discussion	1/11/2016	shall be kept confidential until 1 November 2016	Report Attachments Discussion	shall be kept confidential until 1 November 2016
Ordinary Council	26/11/2013	16.1	2013 Annual Review of The Status of Confidential Items	90 (3) (a) (b) (d) (f) (g) (h) (i) (k)	Report Attachments Discussion	27/01/2014	Under Section 91(7) of the Local Government Act 1999 an order be made that the Report shall be kept confidential until the matter has been finalised by the Council and Committee	Report Attachments Discussion	Under Section 91(7) of the Local Government Act 1999 an order be made that the Report shall be kept confidential until the matter has been finalised by the Council and Committee
Special Council	3/12/2013	5.1	Remuneration Benchmarking	90 (3) (a)	Report Attachments Discussion		shall be kept confidential until the 30 June 2016 or the next scheduled annual review	Report Attachments Discussion	shall be kept confidential until the 30 June 2016 or the next scheduled annual review
Chief Executive Officer Performance Review Committee	9/12/2013	3.1.1	Remuneration Benchmarking	90 (3) (a)	Report Attachments Discussion	30/06/2016	shall be kept confidential until the matter has been finalised by the Council and Committee	Report Attachments Discussion	shall be kept confidential until the matter has been finalised by the Council and Committee
Ordinary Council	17/12/2013	5.1	Remuneration Benchmarking	90 (3) (a)	Report Attachments Discussion		shall be kept confidential until the matter has been finalised by the Council and Committee	Report Attachments Discussion	shall be kept confidential until the matter has been finalised by the Council and Committee

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 16.2 IS TO BE KEPT IN CONFIDENCE**Purpose**

To resolve how long agenda item 16.2 is to be kept confidential.

STAFF RECOMMENDATION

That pursuant to Section 90(2) (a, b, c, d, e, f, g, h, i, j, k, m, n) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential:

- Discussion for Item 16.2 until the next annual review in 2016

OptionsOption 1

That pursuant to Section 90(2) (a, b, c, d, e, f, g, h, i, j, k, m, n) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential:

- Discussion for Item 16.2 until the next annual review in 2016

Option 2

The Council determines a different timeframe for any “in confidence” aspects of agenda item 16.2 to remain in confidence.

Analysis of OptionsOption 1

This item is excluded from the public on the basis that it relates to Sections 90(3) (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (m) (n) of the Local Government Act 1999 of the Local Government Act 1999.

The Council may determine that all items become available to the public to ensure openness and transparency.

Option 2

The Council may determine that certain or all aspects of agenda item 16.2 remain in confidence.

The Council may determine that certain aspects of agenda item 16.2 remain in confidence; therefore the Council may choose alternative aspects that remain confidential.