



CONFIDENTIAL ORDINARY COUNCIL MEETING

CONFIDENTIAL MATTERS**Staff Reports**

17.1	2020 Review of Confidential Orders (Attachments)	5
17.2	Review of General Manager Recruitment.....	55

Released 26 May 2020

STAFF REPORTS

17.1 2020 REVIEW OF CONFIDENTIAL ORDERS

Contact Person: Ms Grace Pelle

Why is this matter confidential?

Subject to an order pursuant to Sections 90 (3) (a) (b) (d) (e) (g) (h) (i) (j) (k) of the Local Government Act 1999, this matter is confidential because any discussion on a particular confidential order must be held in confidence to maintain compliance with the confidential order being reviewed.

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

No action – this motion passed in the open section.

B. THE BUSINESS MATTER

17.1 2020 REVIEW OF CONFIDENTIAL ORDERS

Responsible Executive Manager : Ms Grace Pelle

Report Author : Mr Owen Perry

Delegated Authority : Matters which cannot be delegated to a Committee or Staff.

Attachments :

- 1. Orders to be retained
- 2. Orders to be revoked
- 3. Orders lapsed

PURPOSE

Council's Code of Practice for Public Access to Meetings and Meeting Documents outlines the requirement for council to review confidentiality orders as per section 5.8 – *Review of Confidentiality Orders*.

In accordance with section 5.8.4 of the Code of Practice for Public Access to Meetings and Meeting Documents *"Orders are reviewed annually and Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review is delegated to the CEO. The CEO has delegated authority to assess, and if appropriate, determine if there are any items that require a new confidentiality order because the original order is about to expire"*

This report seeks council to review the confidential orders register and ascertain whether orders should be maintained or revoked. Orders maintained will protect sensitive information relating to ongoing projects and/or issues within the City of Playford. Revoked orders will allow documents to be made publically available on council's website.

Documents relating to each of these confidential items can be accessed via the Acronis platform digitally for council members to prepare in reviewing the items. Council Members have been provided with a separate memo with detail on how to access documentation. The hard copy folders will also be available for reference at the council meeting on the night of the meeting.

STAFF RECOMMENDATION

1. Confidential orders outlined within *Orders to be retained* (Attachment 1) are maintained in accordance with section 91(7) and (9) of the *Local Government Act 1999* until reviewed and determined at the next scheduled review of confidential orders.
2. Confidential orders outlined within *Orders to be revoked* (Attachment 2) are revoked and the relevant meeting documents made available to the public.

EXECUTIVE SUMMARY

Section 91(9) of the *Local Government Act 1999* requires confidential orders that operate for a period exceeding 12 months be reviewed at least once in every year. These orders are now being presented to Council in order to conduct this review.

General Managers have reviewed each item and provided their recommendations. Items in *Orders to be retained* (Attachment 1) are to be retained and items in *Orders to be revoked* (Attachment 2) the items are to be released. The *Orders lapsed* (Attachment 3) provides a schedule of documents that have been released since the previous review due those orders lapsing following a trigger e.g. specified date or following an event or following a specified occurrence concluding.

1. BACKGROUND

Council utilises the confidential provisions within the *Local Government Act 1999* when it believes the information being discussed is of a confidential nature and meets one of the provisions in Section 90(3) of the Act.

This review considers the nature of confidential orders and its compliance with the Act. Sections 90 and 91 of the *Local Government Act 1999* outline the requirements for Council to consider items in confidence and under what conditions they may be retained in confidence.

Documents held in confidence must be reviewed at least once in every year to determine whether an item is to remain in confidence or be released to the public.

The last review of the confidential items register was conducted on 23 April 2019.

2. RELEVANCE TO STRATEGIC PLAN**1: Smart Service Delivery Program**

Outcome 1.2 Improved service delivery

Although this report links to Council's Smart Service Delivery Program, this specific decision will have no significant impact on its progress.

3. PUBLIC CONSULTATION

There is no requirement to consult the community on this matter, however releasing of confidential items demonstrates council's ongoing commitment to ensuring transparency in decision making

4. DISCUSSION

- 4.1** This report provides Council with an opportunity to review all current confidential orders. Currently council have 106 active orders, now requiring review. These now require a Council determination on maintaining or revoking of the order. Any orders to be revoked will have all associated documents made available to the public.
- 4.2** Each relevant General Manager has reviewed each order and with input from relevant Senior Managers and report authors, provided their recommendations as listed within *Orders to be retained* (Attachment 1) and *Orders to be revoked* (Attachment 2).
- 4.3** 92 out of 106 orders have been recommended to be retained in confidence until the retention order lapses or will be reviewed and determined at the next annual review, whichever occurs first. These are listed within *Orders to be retained* (Attachment 1).
- 4.4** In the case of an order of specified duration –
- 4.4.1 The duration of the order cannot be extended after the order has ceased to apply (as a result of the expiry of the period for which the order was specified to apply); and
- 4.4.2 An order extending the duration of such an order cannot be delegated by the relevant council or council committee.
- 4.5** 14 out of 106 orders have been recommended to be revoked. These are listed within *Orders to be revoked* (Attachment 2).
- 4.6** Since the previous review on 23 April 2019, 29 orders have lapsed and as such have been released from confidence and made available to the public on the website. These orders are listed within the *Orders lapsed* (Attachment 3).
- 4.7** Documents affected by confidential orders are viewable by Council Members on their mobile devices within the confidential agenda and minutes folder on Acronis.
- 4.8** Moving forward administration will be bringing this report back every 6 months which will contribute to good governance and promoting transparent decision making.

5. OPTIONS

Recommendation

1. Confidential orders outlined within *Orders to be retained* (Attachment 1) are maintained in accordance with section 91(7) and (9) of the *Local Government Act 1999* until reviewed and determined at the next scheduled review of confidential orders.
2. Confidential orders outlined within *Orders to be revoked* (Attachment 2) are revoked and the relevant meeting documents made available to the public.

Option 2

1. Confidential orders outlined within the *Orders to be retained* document (Attachment 1) are maintained in accordance with section 91(7) and (9) of the *Local Government Act 1999* until reviewed and determined at the next review of confidential orders, with the exception of _____.

2. Confidential orders outlined within *Orders to be revoked* (Attachment 2) are revoked and the relevant meeting documents made available to the public with the exception of _____.

6. ANALYSIS OF OPTIONS

6.1 Recommendation Analysis

6.1.1 Analysis & Implications of the Recommendation

The relevant General Manager, alongside relevant staff associated with each order have provided their advice and made their recommendation to either maintain or revoke a confidential order.

Orders listed within *Orders to be retained* (Attachment 1) have been determined to still align with the confidential provisions under the *Local Government Act 1999* and are recommended to be maintained in confidence at this time.

Orders listed within *Orders to be revoked* (Attachment 2) no longer align with the confidential provisions and have now met the conditions for release from confidence and are recommended to be made available to the public.

6.1.2 Financial Implications

There are no financial or resource implications to release the confidential items as per orders to be revoked (Attachment 2)

6.2 Option 2 Analysis

6.2.1 Analysis & Implications of Option 2

Council may determine that all orders be maintained or revoked with exceptions to be determined by the Council. Consideration must be given to the provisions of the *Local Government Act 1999* when making a decision on each order.

6.2.2 Financial Implications

There are no financial or resource implications.

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/09/2000	Ordinary Council	13.4	Elizabeth City Centre-Agreement for Proposed Re-Development	(... 3. An order be made under the provisions of Section 91 (7) of the Local Government Act 1999, that David McArdle confidential report distributed to Elected Members on 21 September be kept confidential.) The recommendation be adopted.	139	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
27/06/2006	Ordinary Council	17.1	Whelan Kartaway Arbitration	Under section 91(9) of the Local Government Act an order be made that item 17.1 including the report, attachments and minutes and discussion having been dealt with in confidence under section 90(3)(h) of the Local Government Act, shall be kept confidential until the annual review of confidential items after 30 July 2007. / Agenda Item 17.1 and attachments be CONFIDENTIAL subject to an order pursuant to Section 90(3)(h) of the Local Government Act 1999 on the basis of the consideration of information which includes legal advice.	806	h) legal advice
24/10/2006	Ordinary Council	12.12	CEO's Performance Review 2005/2006	Under section 91(9) of the Local Government Act an order be made that attachments 1, 2, 3 and 4 having been dealt with in confidence under section 90(3)(a) of the Local Government Act, shall be kept confidential until the annual review of confidential items after 30 July 2007. / Attachments 1, 2, 3 and 4 be CONFIDENTIAL subject to an order pursuant to section 90(3)(a) of the Local Government Act 1999 on the basis of the consideration of information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	878	a) unreasonable disclosure of personal affairs
14/06/2011	Ordinary Council	16.1.1	Development Compliance Matter	Under Section 91 (9) of the Local Government Act an Order be made that Attachment(s) for Item 16.1.1, and the Decision for Item 16.1.1 (if different from the staff recommendation) for Item 16.1.1 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 of confidential items. / Subject to an order pursuant to section 90(3)(a) and (f) of the Local Government Act 1999 on the basis of the consideration of the information the disclosure of which would involve unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and information the disclosure of which could reasonably be expected to prejudice the maintenance of the law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence or the right to a fair trial.	293	a) unreasonable disclosure of personal affairs
25/10/2011	Ordinary Council	15.2	The provision of a Household Hard Waste Collection Service - NAWMA - Evaluation Report	Under Section 91(7) of the Local Government Act an order be made that Attachment 1 of Agenda Item 15.2 having been dealt with in confidence under Section 90(3) (b) and (d) of the Local Government Act, shall be kept confidential until the scheduled annual review of confidential items in 2012. / ... should be considered in confidence under Section 90(3)(b) and 90(3)(d) of the Local Government Act 1999 on the basis that: (b) information to 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; (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.	502	b) expected to confer a commercial advantage or prejudice Council's commercial position
28/02/2012	Ordinary Council	16.1	Allegation of Breach of Conduct	Under Section 91(7) of the Local Government Act an order be made that: The report, discussion, decision and minutes having been dealt with in confidence under Section 90(2) of the Local Government Act, shall be kept confidential until the next annual review. / ...should be considered in confidence under Section 90(3)(a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	668	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
24/07/2012	Ordinary Council	16.1	NAWMA Board Membership	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 review of confidential items. / ...should be considered in confidence under Section 90(3)(a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	856	a) unreasonable disclosure of personal affairs
21/08/2012	Strategic Planning Committee	7.1	Virginia Nursery Future Options	Under Section 91(7) of the Local Government Act 1999 an order be made that the Report, Attachment(s), Discussion and Recommendation for item 7.1 having been dealt with in confidence under Section 90 (2) of the Local Government Act 1999 shall be kept confidential until the next scheduled annual review of confidential items. / ...should be considered in confidence under Section 90(3)(i) of the Local Government Act 1999: (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.	885	i) current or pending litigation
28/08/2012	Ordinary Council	16.2	Virginia Nursery Future Options	Under Section 91(7) of the Local Government Act 1999 an order be made that the Report, Attachment(s) and Discussion for item 16.2 having been dealt with in confidence under Section 90 (2) of the Local Government Act 1999 shall be kept confidential until the next scheduled annual review of confidential items and that the Decision for item 16.2 shall be kept confidential until staff have advised stakeholders of Council's Decision. / ...should be considered in confidence under Section 90(3)(i) of the Local Government Act 1999: (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.	909	i) current or pending litigation
28/08/2012	Ordinary Council	16.1	NAWMA Board Membership	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 review of confidential items. / ...should be considered in confidence under Section 90(3)(a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	904	a) unreasonable disclosure of personal affairs
23/10/2012	Ordinary Council	16.3	CEO's Development Plan	Under Section 91(7) of the Local Government Act an order be made that the Report, Attachment(s), and Discussion, for Item 16.3 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 of confidential items. / ...consider in confidence agenda item number 16.3 under Section 90 (3) of the Local Government Act 1999 (a) on the basis that: a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	1037	a) unreasonable disclosure of personal affairs
24/03/2015	Ordinary Council	16.1	Appointment of Independent Members for Council Development Assessment Panel (CDAP) (line 1 of 2)	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 in 2016. - Discussion for Item 16.1 until Wednesday, 25 March 2015. - Decision for Item 16.1 until Wednesday, 25 March 2015. / ...to consider in confidence agenda item number 16.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	2104	a) unreasonable disclosure of personal affairs
28/04/2015	Ordinary Council	16.2	Chief Executive Officer's Contract of Employment	That pursuant to Section 90 (3) (a) of the Local Government Act 1999 and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential: - Report for Item 16.2 until the 2016 Confidential Items Annual Review - Attachment(s) for Item 16.2 until the 2016 Confidential Items Annual Review - Discussion for Item 16.2 until the 2016 Confidential Items Annual Review - Decision for Item 16.2 until the 2016 Confidential Items Annual Review / ...to consider in confidence agenda item number 16.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	2126	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
5/05/2015	Special Council	5.1	Chief Executive Officer's Contract of Employment	<p>That pursuant to Section 90 (3) (a) of the Local Government Act 1999 and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 5.1 be kept confidential:</p> <ul style="list-style-type: none"> - Report for Item 5.1 until the 2016 Confidential Items Annual Review. - Attachment(s) for Item 5.1 until the 2016 Confidential Items Annual Review - Document tabled by Cr Muzyk relating to item 5.1 until the 2016 Confidential Items Annual Review - Discussion for Item 5.1 until the 2016 Confidential Items Annual Review - Decision for Item 5.1 until the 2016 Confidential Items Annual Review <p>/</p> <p>...in order to consider in confidence agenda item number 16.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p>	2143	a) unreasonable disclosure of personal affairs
12/05/2015	Special Council	5.1	Appointment of Acting Chief Executive Officer (line 1 of 2)	<p>That pursuant to Section 90 (2) and Section 91 (7) of the Local Government Act 1999, that Council orders that the following aspects of item 5.1 be kept confidential;</p> <ul style="list-style-type: none"> - Report for item 5.1 until the 2016 confidential items annual review. - Attachment(s) for item 5.1 until the 2016 confidential items annual review. - Discussion for item 5.1 until the 2016 confidential items annual review. - Decision for item 5.1 until 13 May 2015 <p>/</p> <p>...to consider in confidence agenda item number 5.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p>	2150	a) unreasonable disclosure of personal affairs
15/07/2015	CEO Selection Panel (special)	3.1	Short-listing of applications received for position of Chief Executive Officer	<p>That pursuant to Section 90 (2) and Section 91 (7) of the Local Government Act 1999, that Council orders that the following aspects of item 3.1 be kept confidential;</p> <ul style="list-style-type: none"> - Tabled Attachment(s) for item 3.1 will be held for a period of 12 months after which they will be destroyed - Completed Attachments 2 & 3 for item 3.1 will be held for a period of 2 years after which they will be destroyed - Discussion for item 3.1 will be held in confidence indefinitely - Decision for item 3.1 will be held in the Minutes indefinitely with the following exceptions - Candidates that have been selected for an interview as per the resolution of the committee to be advised by Jane Jeffries Consulting of interview details accordingly <p>/</p> <p>...to consider in confidence agenda item number 3.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p>	2307	a) unreasonable disclosure of personal affairs
21/07/2015	CEO Selection Panel (special)	5.1	Chief Executive Officer Recruitment Process	<p>That pursuant to Section 90 (2) and Section 91 (7) of the Local Government Act 1999, that Council orders that the following aspects of item 5.1 be kept confidential;</p> <ul style="list-style-type: none"> - Report for item 5.1 will be held for a period of 2 years after which they will be destroyed - Attachment(s) for item 5.1 will be held for a period of 2 years after which they will be destroyed - Discussion for item 5.1 will be held in confidence indefinitely - Decision for item 5.1 will be held in the Minutes indefinitely with the following exception - Candidates that have been selected for an interview as per the resolution of the committee to be advised by Jane Jeffries Consulting of interview details accordingly <p>/</p> <p>...to consider in confidence agenda item number 5.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p>	2310	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
4/08/2015	Special Council	4.1	Chief Executive Officer Recruitment	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects and or documents(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:</p> <ul style="list-style-type: none"> - The minutes of item no. 4.1 - The written report of item no. 4.1 <p>on the grounds that the document(s) (or part) is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>This order shall operate for a period of 24 months and will be reviewed at least annually in accordance with the Local Government Act 1999.</p> <p>/</p> <p>...to consider in confidence agenda item number 4.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>2. Specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>3. Accordingly, 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 the information or matter confidential.</p>	2	a) unreasonable disclosure of personal affairs
3/09/2015	CEO Selection Panel (special)	5.1	Chief Executive Officer Recruitment Negotiations with the Preferred Candidate	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects and or documents(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:</p> <ul style="list-style-type: none"> - The minutes of item no. 5.1 - The written report of item no. 5.1 - The tabled attachment being the Draft Employment Agreement of item 5.1 <p>on the grounds that the document(s) (or part) is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>2. This order shall operate for a period of 24 months and will be reviewed at least annually in accordance with the Local Government Act 1999.</p> <p>/</p> <p>...to consider in confidence agenda item numbers 5.1 and 5.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>1. Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>2. Specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>3. Accordingly, 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 the information or matter confidential</p>	2311	a) unreasonable disclosure of personal affairs
3/09/2015	CEO Selection Panel (special)	5.3	Chief Executive Officer Recruitment - Consultants Report	<p>1. Pursuant to Section 91(7) of the Local Government Act 1999, the Council 90(3)(a) of the Act:</p> <ul style="list-style-type: none"> - The minutes of item no. 5.3 - The written report of item no. 5.3 <p>on the grounds that the document(s) (or part) is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead) and specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>2. This order shall operate for a period of 24 months and will be reviewed at least annually in accordance with the Local Government Act 1999.</p> <p>/</p> <p>...to consider in confidence agenda item number 5.3 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>1. Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>2. Specifically, the present matter relates to information pertaining to the personal affairs of persons and the disclosure of this information would be unreasonable because the information is sensitive to those persons and is not a matter of public knowledge.</p> <p>3. Accordingly, 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 the information or matter confidential</p>	2315	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
15/09/2015	Services Committee	8.2	McGill Oval - One Tree Hill	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential: - Report for Item 16.2 until the next annual review of confidential items. - Attachment(s) for Item 16.2 until the next annual review of confidential items - Discussion for Item 16.2 until the next annual review of confidential items - Decision for Item 16.2 until the next annual review of confidential items / ...to consider in confidence agenda item 8.2 under section 90(3)(h) of the Local Government Act 1999 on the basis that: (h) legal advice	2276	h) legal advice
17/09/2015	CEO Selection Panel (special)	6.1	Chief Executive Officer (CEO) Appointment	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 6.1 be kept confidential: - Report for Item 6.1 to be reviewed and determined at the next annual review of confidential items. - Attachment(s) for Item 6.1 to be reviewed and determined at the next annual review of confidential items. - Discussion for Item 6.1 to be reviewed and determined at the next annual review of confidential items. - Decision for Item 6.1 to be reviewed and determined at the next annual review of confidential items. / ...to consider in confidence agenda item number 6.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	2321	a) unreasonable disclosure of personal affairs
21/09/2015	Special Council	4.1	CEO Recruitment Process	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 4.1 be kept confidential: - Attachment for Item 4.1 to be reviewed and determined at the next annual review of confidential items. - Discussion for Item 4.1 to be reviewed and determined at the next annual review of confidential items. / ...to consider in confidence agenda item number 4.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that: (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).	2278	a) unreasonable disclosure of personal affairs
22/09/2015	Ordinary Council	16.2	McGill Oval - One Tree Hill	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential: - Report for Item 16.2 until the next annual review of confidential items. - Attachment(s) for Item 16.2 until the next annual review of confidential items - Discussion for Item 16.2 until the next annual review of confidential items - Decision for Item 16.2 until the next annual review of confidential items / ...to consider in confidence agenda item number 16.2 under Section 90 (3) (h) of the Local Government Act 1999 on the basis that: (h) Legal advice.	2301	h) legal advice
8/12/2015	Strategic Planning Committee	8.1	Lot 1013 Playford Blvd Elizabeth Northern CBD Project	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 8.1 be kept confidential: - Report for Item 8.1 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Attachment(s) for Item 8.1 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Discussion for Item 8.1 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Decision for Item 8.1 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. / ...to consider in confidence agenda item number 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that: (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council ii) information the disclosure of which would, on balance, be contrary to the public interest.	2412	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
8/12/2015	Services Committee	8.1	NAWMA Kerbside Waste Collection Contract (line 2 of 2)	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 8.1 be kept confidential: - Report for Item 8.1 for a period of twelve (12) months from when NAWMA and the selected tenderer endorse the contract. - Attachment(s) for Item 8.1 for a period of three (3) years from the date of the contract commencement, anticipated to be February 2020. - Discussion for Item 8.1 for a period of twelve (12) months from when NAWMA and the selected tenderer endorse the contract, although this will need be subject to a review prior to release. - Decision for Item 8.1 until NAWMA and the selected tenderer endorse the contract and NAWMA publicises the outcome. / ...to consider in confidence agenda item number 8.1 under Sections 90 (3) (j) (k) of the Local Government Act 1999 on the basis that: (j) i) information the disclosure of which 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) ii) information the disclosure of which would, on balance, be contrary to the public interest; and (k) tenders for the supply of goods, the provision of services or the carrying out of works.	2420	k) tender for supply of goods or services
15/12/2015	Ordinary Council	16.1	NAWMA Kerbside Waste Collection Contract (line 2 of 2)	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.1 be kept confidential: - Report for Item 16.1 for a period of twelve (12) months from when NAWMA and the selected tenderer endorse the contract. - Attachment(s) for Item 16.1 for a period of three (3) years from the date of the contract commencement, anticipated to be February 2020. - Discussion for Item 16.1 for a period of twelve (12) months from when NAWMA and the selected tenderer endorse the contract, although this will need be subject to a review prior to release. - Decision for Item 16.1 until NAWMA and the selected tenderer endorse the contract and NAWMA publicises the outcome. / ...to consider in confidence agenda item number 16.1 under Sections 90 (3) (j) (k) of the Local Government Act 1999 on the basis that: (j) i) information the disclosure of which 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) ii) information the disclosure of which would, on balance, be contrary to the public interest; and (k) tenders for the supply of goods, the provision of services or the carrying out of works.	2438	k) tender for supply of goods or services
15/12/2015	Ordinary Council	16.2	Lot 1013 Playford Blvd Elizabeth Northern CBD Project	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential: - Report for Item 16.2 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Attachment(s) for Item 16.2 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Discussion for Item 16.2 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. - Decision for Item 16.2 until negotiations have concluded, as determined by the Acting General Manager, Strategic Projects and Assets. / ... to consider in confidence agenda item number 16.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that: (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council ii) information the disclosure of which would, on balance, be contrary to the public interest.	2441	b) expected to confer a commercial advantage or prejudice Council's commercial position
26/07/2016	Ordinary Council	16.1	Strategic Northern CBD Commercial Opportunity	That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.1 be kept confidential: - Report for Item 16.1 until the next scheduled annual review of confidential items at which time this order will be reviewed. - Attachment(s) for Item 16.1 until the next scheduled annual review of confidential items at which time this order will be reviewed. - Discussion for Item 16.1 until the next scheduled annual review of confidential items at which time this order will be reviewed. - Decision for Item 16.1 until the next annual review or until the CEO determines that the decision no longer needs to remain in confidence and advises the Council accordingly. - The Chief Executive Officer, or his delegate, be authorised to discuss the matter outlined in the report, attachments, discussion and decision for Item 16.1 with the proponents and stakeholders as outlined in dot point 6. of Resolution 2639. / ...in order to consider in confidence agenda item number 16.1 under Sections 90 (3) (b) (d) of the Local Government Act 1999 on the basis that: (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest; and (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.	2640	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
20/12/2016	Ordinary Council	18.1	Sale of Allotment 5, Northern CBD being portion of Allotment 1013, Playford Boulevard Elizabeth	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Attachment(s) for Item 18.1 - Discussion for Item 18.1 - Decision for Item 18.1 <p>Duration of Order: Will remain in confidence until reviewed and determined as part of the next annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999 with the exception of:</p> <ul style="list-style-type: none"> • the decision of Council to any prospective purchaser and professional organisation in assisting Council with the sale. • Communicating to the community the purpose of the land sale <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>...In order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because of the confidential information it reveals about the purchaser and purchase price of the allotment. Furthermore it could potentially confer a commercial advantage on a third party should the sale of the allotment not proceed and the property is required to be placed back on the open market for sale.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2772	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
6/06/2017	Corporate	9.1	Future Fund Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential</p>	2870	b) expected to confer a
6/06/2017	Special Council	18.2	Appointment of Independent Member to Council Development Assessment Panel	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report, Discussion and Attachment(s) for Item 18.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...In order to consider in confidence agenda item number 18.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it would involve the disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2887	a) unreasonable disclosure of personal affairs
25/07/2017	Ordinary Council	18.3	Appointment of Independent Member to Council Development Assessment Panel	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.3 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.3 - Attachment(s) for Item 18.3 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...In order to consider in confidence agenda item number 18.3 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it would involve the disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2947	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
11/09/2017	CEO Performance Review Committee	9.1	Outcomes of the Chief Executive Officer Performance Review Process 2016-17 year	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachment(s) for Item 9.1 - Discussion for Item 9.1 - Decision for Item 9.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 9.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because the matter contains sensitive information relating to the personal affairs of the Chief Executive Officer</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	2962	a) unreasonable disclosure of personal affairs
26/09/2017	Ordinary Council	18.2	Outcomes of the Chief Executive Officer Performance Review Process 2016-17 year	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment(s) for Item 18.2 - Discussion for Item 18.2 - Decision for Item 18.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because the matter contains sensitive information relating to the personal affairs of the Chief Executive Officer</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	2984	a) unreasonable disclosure of personal affairs
24/10/2017	Ordinary Council	18.4	Sale of Allotment 5, Northern CBD being portion of Allotment 1013, Playford Boulevard Elizabeth	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.4 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.4 - Attachment(s) for Item 18.4 - Discussion for Item 18.4 - Decision for Item 18.4 <p>This order shall operate until settlement of the site occurs or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.4 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is confidential because of the information it reveals about the purchaser and purchase price of the allotment. Furthermore it could potentially confer a commercial advantage on a third party should the sale of the allotment not proceed and the property is required to be placed back on the open market for sale.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3018	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
28/11/2017	Ordinary Council	18.1	Corporate Governance Committee - Appointment of Independent Member	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Attachment(s) for item 18.1</p> <p>This order on the Attachment shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because this matter relates to information pertaining to the personal affairs of shortlisted applicants for the Independent Member position on the Corporate Governance Committee.</p> <p>The disclosure of this information would be unreasonable because it contains sensitive information such as personal details of applicants and referees and is not a matter of public knowledge.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3040	a) unreasonable disclosure of personal affairs
22/05/2018	Ordinary Council	18.1	Sale of Land - Playford CBD - Hotel Development	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Council's reasons to deal with this item in confidence pursuant to Sections 90 (3) (b) (d) of the Local Government Act 1999:</p> <p>- Report for Item 18.1</p> <p>- Attachment(s) for Item 18.1</p> <p>- Decision for Item 18.1</p> <p>This order shall operate for 2 years or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Sections 90 (3) (b) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because it reveals information about the purchaser / developer, the purchase price of the allotment and the concept plans for the hotel development. Furthermore, it could potentially confer a commercial advantage on a third party should the sale of the allotment not proceed and the property is required to be placed back on the open market.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3167	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
26/06/2018	Ordinary Council	18.1	HortEx Partnership Agreement	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <p>- Report for item 18.1</p> <p>- Attachment(s) for item 18.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because information contained within this report relates to sensitive third party information which is not at this stage in the public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3190	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
24/07/2018	Ordinary Council	18.2	Appointment of Council Assessment Panel Independent Member and Presiding Member	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment(s) for Item 18.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it contains sensitive information of the applicants for the position.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3214	a) unreasonable disclosure of personal affairs
24/07/2018	Ordinary Council	18.3	Execute Contract of Sale with Crauchan Investments for the Proposed Playford Arena Development	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 11.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.3 - Attachment(s) for Item 18.3 - Decision for Item 18.3 <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke any subpart of the order at any time and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 11.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the developer that Council are negotiating with and could confer a commercial advantage on a third party; and</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3217	b) expected to confer a commercial advantage or prejudice Council's commercial position
13/08/2018	CEO Performance Review Committee	9.2	Outcomes of the Chief Executive Officer Performance Review for 2017/18 year	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.2 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.2 - Attachment(s) for Item 9.2 <p>Until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999; and</p> <p>-Decision for Item 9.2</p> <p>Until Council have considered this item and made a determination of any changes to the CEO's Total Employment Cost (TEC) Package or the next scheduled annual review of confidential items by Council; whichever occurs first; at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because the matter relates to information pertaining to the personal affairs of the Chief Executive Officer.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3233	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
28/08/2018	Ordinary Council	18.1	Outcomes of the Chief Executive Officer Performance Review for 2017/18 year	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Attachment(s) for Item 18.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because the matter contains sensitive information relating to the personal affairs of the Chief Executive Officer.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	3265	a) unreasonable disclosure of personal affairs
28/08/2018	Ordinary Council	18.2	Playford Arena Prudential Review	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.2 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Council's reasons to deal with this item in confidence pursuant to Sections 90(3)(b)(d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment(s) for Item 18.2 - Decision for Item 18.2 <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.2 under Sections 90(3)(b)(d) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest; and</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is confidential because it details financial information relating to the sale of the allotment which is likely to prejudice the commercial position of Council and contains information that if disclosed could prejudice the person who supplied the information or confer a commercial advantage on a third party and would be contrary to the public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3262	b) expected to confer a commercial advantage or prejudice Council's commercial position
5/11/2018	Special Council	3.1	Workplace Safety	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (h) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Legal Advice for item 3.1 - Decision for Item 3.1 <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because there is a need to consider legal advice, to discuss its contents in confidence and to ensure disclosure of information does not compromise any investigatory process.</p>	3322	h) legal advice

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
21/11/2018	Special Council	3.1	Workplace Safety	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (h) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Legal Advice and independent investigator, Susan Zeitz, Peacemaker ADR, letter dated 21 November 2018, for item 3.1 - Decision for Item 3.1 <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... The Council is satisfied that, pursuant to sections 90(3)(f) and 90(3)(h) of the Act, the public disclosure of the information to be received, discussed or considered in relation to this Agenda Item 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; and the provision of legal advice.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because there is a need to consider legal advice, to discuss its contents in confidence and to ensure disclosure of information does not compromise any investigatory process.</p>	3330	h) legal advice
4/12/2018	Corporate Governance Committee	9.1	Risk Management Work Plan - Risk Identification	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (e) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 9.1 - Attachment(s) for 9.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...In order to consider in confidence agenda item number 9.1 under Section 90 (3) (e) of the Local Government Act 1999 on the basis that:</p> <p>(e) matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.</p> <p>This matter is Confidential because information contained in the report and possible discussion could give rise to security risks to the organisation.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3346	e) security and safety concern
6/12/2018	Special Council	3.1	Workplace Safety	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Sections 90 (3)(f) and 90(3)(h) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Legal Advice for Item 3.1 - Report for Item 3.1 <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... The Council is satisfied that, pursuant to sections 90(3)(f) and 90(3)(h) of the Act, the public disclosure of the information to be received, discussed or considered in relation to this Agenda Item 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; and the provision of legal advice.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because there is a need to consider legal advice, to discuss its contents in confidence and to ensure disclosure of information does not compromise any investigatory process.</p>	3350	h) legal advice

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
6/12/2018	Special Council	3.1	Workplace Safety	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 resolution no. 3354 be kept confidential until further order in accordance with Council's reasons to deal with this item in confidence pursuant to Sections 90 (3)(f) and 90(3)(h) of the Local Government Act 1999:</p> <p>- Item 3.1 Resolution no. 3354</p> <p>This order will be reviewed within 12 months by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>Notwithstanding this confidentiality order the Council authorises the disclosure by the Senior Manager Corporate Services and the Deputy Mayor as they see fit such information as is currently the subject of this confidentiality order for the purposes of making a statement to the media and staff concerning this Workplace Safety matter.</p> <p>/</p> <p>... The Council is satisfied that, pursuant to sections 90(3)(f) and 90(3)(h) of the Act, the public disclosure of the information to be received, discussed or considered in relation to this Agenda Item 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; and the provision of legal advice.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because there is a need to consider legal advice, to discuss its contents in confidence and to ensure disclosure of information does not compromise any investigatory process.</p>	3355	h) legal advice
22/01/2019	Ordinary Council	18.1	Workplace Safety Investigation Report	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council reasons to deal with this item in confidence pursuant to Sections 90 (3) (a) (h) (i) of the Local Government Act 1999:</p> <p>- Report for Item 18.1</p> <p>- Attachment(s) and Workplace Safety Investigation Reports, Author - Ms Susan Zeitz for Item 18.1</p> <p>- Minutes which are the record of the Council's decision for Item 18.1</p> <p>This order shall operate until further order and will be reviewed within 12 months.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Sections 90 (3) (a) (h) (i) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and</p> <p>(h) legal advice; and</p> <p>(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.</p> <p>This matter is confidential because the disclosure of this information would be unreasonable because the information is not relevant to the workings of the Council, is sensitive to a number of staff, relates to legal advice on the Workplace Safety matter and is currently pending litigation in the Supreme Court.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3391	i) current or pending litigation
22/01/2019	Ordinary Council	18.2	Workplace Safety Delegations	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <p>- Report for Item 18.2</p> <p>- Decision for Item 18.2</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.2 under Section 90 (3) (i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because there is currently pending litigation in the Supreme Court in relation to the Workplace Safety matter.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3387	i) current or pending litigation

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/02/2019	Ordinary Council	18.1	Playford Arena - Project update for consideration	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 18.1 - Attachment(s) for item 18.1 - Decision for item 18.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>Notwithstanding this confidentiality order, the Council authorises the disclosure by CEO and the Mayor as they see fit, such information as is currently the subject of this confidentiality order for the purposes of making a statement to the media. The CEO is to inform the Council if this authorisation is enacted.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3)(b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to:</p> <ul style="list-style-type: none"> - Prejudice the commercial position of the developer that Council are negotiating with and could confer a commercial advantage on a third party; and - Adversely affect the commercial position of Council in negotiations with the Developer. <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3432	b) expected to confer a commercial advantage or prejudice Council's commercial position
26/02/2019	Ordinary Council	18.2	Workplace Safety - Legal Matters	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment for Item 18.2 - Decision for Item 18.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.2 under Section 90 (3)(i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because there is currently pending litigation in the Supreme Court in relation to the Workplace Safety matter.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3428	i) current or pending litigation

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/03/2019	Ordinary Council	18.3	Rate Rebate Agreement	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.3 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (b) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 18.3 - Attachment(s) for item 18.3 - Decision for item 18.3 <p>This order shall operate until expiry of the agreement and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time, and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>in order to consider in confidence agenda item number 18.3 under Sections 90 (3) (b) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest; and (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3492	b) expected to confer a commercial advantage or prejudice Council's commercial position
26/03/2019	Ordinary Council	18.5	Ombudsman Correspondence	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.5 be kept confidential in accordance with Council reasons to deal with this item in confidence pursuant to Sections 90 (3) (a) (g) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.5 - Attachment(s) for Item 18.5 <p>This order shall operate for 12 months and will be reviewed at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.5 under Sections 90 (3) (a) (g) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and (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 constituted by law, any duty of confidence, or other legal obligation or duty. <p>This matter is Confidential because the disclosure of this information would be unreasonable because the information is not relevant to the workings of the Council, is sensitive to a person's affairs and is confidential in accordance with the Ombudsman Act.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence</p>	3498	a) unreasonable disclosure of personal affairs
9/04/2019	Strategic Planning Committee	9.1	Former Munno Para Bowling Club Site - Allotment 479 Myall Avenue, Munno Para	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Presentation for Item 9.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because commercial in confidence contractual information that, if disclosed, may result in damage to a party's commercial interests, intellectual property or trade secrets.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	3513	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
13/05/2019	CEO Review Committee	9.1	Recruitment Agency Tender Evaluation	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachments for Item 9.1 - Minutes for Item 9.1 <p>This order shall operate for 18 months and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because tender submissions contain commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3548	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
14/05/2019	Special Council	3.1	Workplace Safety - Legal Matters	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> Report for Item 3.1 Minutes for Item 3.1 <p>This order shall operate for 12 months and will be reviewed at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>.... in order to consider in confidence agenda item number 3.1 under Section 90 (3) (i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because there is currently pending litigation in the Supreme Court in relation to the Workplace Safety matter.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3554	i) current or pending litigation
4/06/2019	Special Council	3.1	Workplace Safety - Legal Matters	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Attachment(s) for Item 3.1 - Tabled document entitled - In the matter of Hemmerling v Playford City Council (No 1465 of 2018) Opinion - Minutes for Item 3.1 <p>This order shall operate 12 months and will be reviewed at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 3.1 under Section 90 (3) (i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because there is currently pending litigation in the Supreme Court in relation to the Workplace Safety matter.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3581	i) current or pending litigation

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
13/06/2019	CEO Review Committee	9.1	Planning and Strategy Workshop for CEO Recruitment	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - The LGASA Recruitment workplan and associated documents tabled at the meeting in relation to the CEO Review Committee Workshop <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item number 9.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the matter relates to information pertaining the strategy, planning and scoping of the recruitment process for a CEO.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3591	b) expected to confer a commercial advantage or prejudice Council's commercial position
18/06/2019	Services Committee	9.1	Hortex Licence Agreement	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachment(s) for Item 9.1 - Minutes for Item 9.1 <p>This order for the Attachment and Decision shall operate until the execution of the Lease between the City of Playford and HortEx, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>This order for the Report shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because information contained within this report relates to sensitive third party information which is not at this stage in the public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.</p>	3599	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
18/06/2019	Services Committee	9.2	Rate Rebate Report	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.2 - Attachment(s) for Item 9.2 - Minutes for Item 9.2 <p>This order shall operate for 12 months until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because it contains financial information regarding specific commercial and community organisations within Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3602	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
25/06/2019	Ordinary Council	18.1	Hortex Licence Agreement	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Attachment(s) for Item 18.1 - Minutes for Item 18.1 <p>This order for the Attachment and Decision shall operate until the execution of the Lease between the City of Playford and HortEx, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first. This order for the Report shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because information contained within this report relates to sensitive third party information which is not at this stage in the public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Council consider it necessary to consider this matter in confidence.</p>	3620	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
25/06/2019	Ordinary Council	18.2	Rate Rebate Report	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 18.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment(s) for Item 18.2 - Minutes for Item 18.2 <p>This order shall operate for 12 months until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because it contains financial information regarding specific commercial and community organisations within Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3623	b) expected to confer a commercial advantage or prejudice Council's commercial position
9/07/2019	Strategic Planning Committee	9.1	Curtis Road - Application to the Local Roads Advisory Committee	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Minutes for Item 9.1 <p>This order shall operate until negotiations between DPTI, the LRAC and Council have concluded or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because Council is in commercial negotiations with DPTI.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3638	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
9/07/2019	Strategic Planning Committee	9.2	Lot 479 Mingari Street Munno Para	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.2 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.2 - Attachment(s) for Item 9.2 - Minutes for Item 9.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 9.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because commercial negotiations are ongoing and at this time are not a matter of public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3641	b) expected to confer a commercial advantage or prejudice Council's commercial position
23/07/2019	Ordinary Council	18.1	Curtis Road - Application to the Local Roads Advisory Committee	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Minutes for Item 18.1 <p>This order shall operate until negotiations between DPTI, the LRAC and Council have concluded or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because Council is in commercial negotiations with DPTI.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3663	b) expected to confer a commercial advantage or prejudice Council's commercial position
23/07/2019	Ordinary Council	18.2	Lot 479 Mingari Street Munno Para	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 18.2 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.2 - Attachment(s) for Item 18.2 - Minutes for Item 18.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 18.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because commercial negotiations are ongoing and at this time are not a matter of public interest.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3666	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
23/07/2019	Ordinary Council	18.3	New Northern School - Shared Use Arrangements	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.3 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.3 - Attachment(s) for Item 18.3 - Minutes for Item 18.3 <p>This order shall operate until the negotiations with the State Government and Consortia has been finalized and the State Government confidentiality order is removed, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item 18.3 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of Council through the negotiations with the State Government and three consortia.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3670	b) expected to confer a commercial advantage or prejudice Council's commercial position
19/08/2019	CEO Review Committee	8.1	Update - CEO Recruitment Process	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Recruitment Attachments from LGASA Recruitment for Item 8.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because information that will be discussed will be in relation to the personal affairs of applicants of the CEO position.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3689	a) unreasonable disclosure of personal affairs
9/09/2019	Special Council	3.1	CEO Recruitment	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Report and Candidate information packs from LGASA Recruitment for Item 3.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 3.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it contains information which relates to the personal details of individuals that have applied for the position of Chief Executive Officer.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3723	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
17/09/2019	Services Committee	8.1	Repurposing of Assets	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Presentation for Item 8.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because information contained within the presentation could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3736	b) expected to confer a commercial advantage or prejudice Council's commercial position
24/09/2019	Ordinary Council	17.1	Appointment of Council Assessment Panel Independent Members and Presiding Member	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Report for item 17.1</p> <p>- Attachment(s) for Item 17.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 17.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because the report contains the personal resume and details for the applicants for the positions within the attachments.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3750	a) unreasonable disclosure of personal affairs
15/10/2019	Services Committee	8.1	Hortex Licence Agreement	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (h) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>- Attachment(s) for Item 8.1</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until a Licence Agreement for the use of the VHC and new partnering arrangements for the advancement of the horticultural industry beyond June 2020 have been established, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (h) of the Local Government Act 1999 on the basis that:</p> <p>(h) legal advice.</p> <p>This matter is Confidential because the report contains legal advice.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3777	h) legal advice

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
15/10/2019	Services Committee	8.2	Repurposing Assets	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Presentation for Item 8.2</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>In order to consider in confidence agenda item 8.2 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because information contained within the presentation could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3779	b) expected to confer a commercial advantage or prejudice Council's commercial position
22/10/2019	Ordinary Council	17.1	Hortex Licence Agreement	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (h) of the Local Government Act 1999:</p> <p>- Report for Item 17.1</p> <p>- Attachment(s) for Item 17.1</p> <p>- Minutes for Item 17.1</p> <p>This order shall operate until a Licence Agreement for the use of the VHC and new partnering arrangements for the advancement of the horticultural industry beyond June 2020 have been established, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>In order to consider in confidence agenda item 17.1 under Section 90 (3) (h) of the Local Government Act 1999 on the basis that:</p> <p>(h) legal advice.</p> <p>This matter is Confidential because the report contains legal advice.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3796	h) legal advice
28/10/2019	CEO Review Committee	8.1	CEO Review Services Select Request for Quote (RFQ) Scope	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>In order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to an agency or consultant before it is released.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3802	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
19/11/2019	Services Committee	8.1	Repurposing Assets	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Presentation for Item 8.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is confidential because information contained within the presentation could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3833	b) expected to confer a commercial advantage or prejudice Council's commercial position
26/11/2019	Ordinary Council	17.1	Corporate Governance Committee Independent Member Appointment (line 1 of 2)	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Attachments 1, 2 and 3 for Item 17.1</p> <p>This order shall operate until further order or until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Agenda for Item 17.1</p> <p>- Minutes for Item 17.1</p> <p>This order shall operate until such time that the successful and unsuccessful applicants for the Corporate Governance Committee Independent Member position are notified of the outcome.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because this matter relates to information pertaining to the personal affairs of shortlisted applicants for the Independent Member position on the Corporate Governance Committee.</p> <p>The disclosure of this information would be unreasonable because it contains sensitive information such as personal details of applicants and referees and is not a matter of public knowledge.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3849	a) unreasonable disclosure of personal affairs

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
2/12/2019	CEO Review Committee	8.1	CEO Review Services Select Request for Quote (RFQ) Evaluation	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Minutes for Item 8.1 - Attachment(s) for Item 8.1 <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is confidential because tender responses to the select request for quote contain commercial information that is provided on a confidential basis. On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3853	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
28/01/2020	CEO Review Committee	8.1	CEO Review Services Provider Selection	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment for Item 8.1 <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Minutes for Item 8.1 <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because tender responses to the select request for quote for CEO review services and subsequent reference checks contain commercial information that is provided on a confidential basis. On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3888	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
18/02/2020	CEO Review Committee	8.1	CEO Review Services Provider - Proposed Contract for Approval	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment for Item 8.1 <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Minutes for Item 8.1 <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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. <p>This matter is Confidential because it involves review of contractual documentation relating to CEO review services; which contains commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3914	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
18/02/2020	Services Committee	8.1	Repurposing of Assets	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Presentation for Item 8.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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. <p>This matter is Confidential because information contained within the presentation could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3922	b) expected to confer a commercial advantage or prejudice Council's commercial position
25/02/2020	Ordinary Council	17.1	Motion on Notice	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90(3)(e) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.1 - Minutes for Item 17.1 <p>This order will allow the Mayor to engage with SAPOL and will operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time, and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.1 under Section 90(3)(e) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (e) matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person. <p>This matter is Confidential because it relates to previous threats to the personal safety of members of Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3940	e) security and safety concern

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
25/02/2020	Ordinary Council	17.2	Health Precinct - Development options for Lot 47 & Lot 48 Mark Road	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.2 be kept confidential in accordance with Council reasons to deal with this item in confidence pursuant to Section 90(3)(b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.2 - Attachment(s) for Item 17.2 - Minutes for Item 17.2 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>In order to consider in confidence agenda item 17.2 under Section 90(3)(b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because information contained within the report could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3943	b) expected to confer a commercial advantage or prejudice Council's commercial position
17/03/2020	Services Committee	8.1	Northern School - Council Enhancements Deed	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (g) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment(s) for Item 8.1 - Minutes for Item 8.1 <p>This order shall operate until the Council Enhancements Deed has expired, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>In order to consider in confidence agenda item 8.1 under Section 90 (3) (g) of the Local Government Act 1999 on the basis that:</p> <p>(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 constituted by law, any duty of confidence, or other legal obligation or duty.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of Council through the negotiations with TESA Project Co, Sarah Constructions and ISS Facility Management. Clause 13 of the Council Enhancements Deed also states that each party agrees to keep the Deed confidential.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3960	g) to ensure Council does not breach any law, order or direction of a court or tribunal
24/03/2020	Ordinary Council	17.1	Northern School - Council Enhancements Deed	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (g) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.1 - Attachment(s) for Item 17.1 - Minutes for Item 17.1 <p>This order shall operate until the Council Enhancements Deed has expired, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>In order to consider in confidence agenda item 17.1 under Section 90 (3) (g) of the Local Government Act 1999 on the basis that:</p> <p>(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 constituted by law, any duty of confidence, or other legal obligation or duty.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of Council through the negotiations with TESA Project Co, Sarah Constructions and ISS Facility Management. Clause 13 of the Council Enhancements Deed also states that each party agrees to keep the Deed confidential.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3979	g) to ensure Council does not breach any law, order or direction of a court or tribunal

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
24/03/2020	Ordinary Council	17.2	Corporate Governance Committee Independent Member Appointment	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Report for Item 17.2</p> <p>- Attachment(s) for Item 17.2</p> <p>This order shall operate until further order or until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because this matter relates to information pertaining to the personal affairs of shortlisted applicants for the Independent Member position on the Corporate Governance Committee.</p> <p>The disclosure of this information would be unreasonable because it contains sensitive information such as personal details of applicants and referees and is not a matter of public knowledge.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3982	a) unreasonable disclosure of personal affairs
14/04/2020	Strategic Planning Committee	8.1	Advocacy Update	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Presentation for Item 8.1</p> <p>This order shall operate until reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because as Council is progressing several initiatives that are of a commercial basis and release of information may be detrimental to Council or the other parties.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3987	b) expected to confer a commercial advantage or prejudice Council's commercial position
21/04/2020	Services Committee	8.1	Repurposing Assets	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Presentation for Item 8.1</p> <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because information contained within the presentation could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3992	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be retained

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
28/04/2020	Ordinary Council	17.1	Health Predict - ACH Group Negotiations for Lot47 Oldham Road & Lot48 Mark Roads, Elizabeth South	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.1 - Attachment(s) for Item 17.1 - Minutes for Item 17.1 <p>This order shall operate until 30 April 2021, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time, and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because the information contained within the report could reasonably be expected to convey a commercial advantage.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	4006	b) expected to confer a commercial advantage or prejudice Council's commercial position
5/05/2020	Corporate Governance Committee	8.1	Long Term Financial Plan Update	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Presentation item 8.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because as it could prejudice the commercial position of Council and any commercial negotiation's surrounding the re-purposing of assets.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.</p>	4015	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
27/01/2015	Ordinary Council	16.1	Progressing The Playford Sports Precinct	<p>Pursuant to Section 90 (3) (b) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of item 16.1 be kept confidential:</p> <ul style="list-style-type: none"> - Report for Item 16.1 upon the conclusion of a signed agreement or until the annual review of confidential items in 2016. - Minute for Item 16.1 upon the conclusion of a signed agreement or until the annual review of confidential items in 2016. - Discussion for Item 16.1 upon the conclusion of a signed agreement or until the annual review of confidential items in 2016. <p>/</p> <p>...to consider in confidence agenda item number 16.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p>	2031	b) expected to confer a commercial advantage or prejudice Council's commercial position
28/02/2017	Ordinary Council	18.2	Building Stronger Regions Fund	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.2 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (b) (m) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 18.2 - Attachment(s) for item 18.2 - Discussion for item 18.2 - Decision for item 18.2 <p>This order shall operate until the next scheduled annual review of Confidential Items at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.2 under Sections 90 (3) (b) (m) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest; and</p> <p>(m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council because land acquisition is required to deliver the project associated with the funding application.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2820	b) expected to confer a commercial advantage or prejudice Council's commercial position
6/06/2017	Special Council	18.1	GRFMA Audit Committee Nominations	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 18.1 - Attachment(s) for item 18.1 - Discussion for item 18.1 - Decision for item 18.1 <p>Decision: This order on the decision shall operate until the GRFMA has announced the Audit Committee members for 2017 to 2019, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Discussion, Report, Attachment(s): This order on the discussion, report and attachments shall operate until the next scheduled annual review of Confidential Items at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 18.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because this matter relates to information pertaining to the personal affairs of nominees for positions available on the GRFMA Audit Committee.</p> <p>The disclosure of this information would be unreasonable because it contains sensitive information such as the nominees' personal details and is not a matter of public knowledge.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2883	a) unreasonable disclosure of personal affairs

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/09/2017	Ordinary Council	18.1	Stretton Management of Co-working Fluid Solar House	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 18.1 - Decision for item 18.1 <p>This order shall operate until the conclusion of the negotiations, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item number 18.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to prejudice the commercial position of the Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	2981	b) expected to confer a commercial advantage or prejudice Council's commercial position
19/12/2017	Ordinary Council	18.1	Construction of a retail building and subsequent leases for the land situated at proposed Lot 11 within the Playford City CBD	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Attachment(s) for Item 18.1 - Discussion for Item 18.1 - Decision for Item 18.1 with the exception of parties that Council are formally negotiating with <p>This order shall operate until substantial completion of the site occurs and unconditional leases are executed for the building, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order at any time, and the Chief Executive Officer must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the information herein provides commercial terms and conditions for the lease of portion of the proposed retail site and would provide advantage to a third party for negotiations for the remainder of the proposed building.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3059	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
17/07/2018	Services Committee	9.1	Leasing a portion of Allotment 664 Amberdale Road, Blakeview for Telecommunication purposes	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachment(s) for Item 9.1 - Decision for Item 9.1 <p>This order shall operate until the construction of the telecommunication tower is completed or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because of the commercial advantage it would provide to third parties if the information was released regarding the lease amount should the lease not proceed and new negotiations were required to be entered into.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3199	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
24/07/2018	Ordinary Council	18.1	Leasing a portion of Allotment 664 Amberdale Road, Blakeview for Telecommunication purposes	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.1 - Attachment(s) for Item 18.1 - Decision for Item 18.1 <p>This order shall operate until the construction of the telecommunication tower is completed or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because of the commercial advantage it would provide to third parties if the information was released regarding the lease amount should the lease not proceed and new negotiations were required to be entered into.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3211	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
13/08/2019	Corporate Governance Committee	8.1	Prudential Report - Grenville Centre	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment(s) for Item 8.1 <p>This order shall operate until it is reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because the information contained in the report could give rise to an advantage to a prospective construction company that Council could do business with in the near future.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3678	b) expected to confer a commercial advantage or prejudice Council's commercial position
20/08/2019	Services Committee	8.1	Grenville Hub - Prudential Review Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment(s) for Item 8.1 - Minutes for Item 8.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to the contractor because that party is currently in commercial negotiations with the Council related to this matter, and that party could adjust their bargaining position to the detriment of the Council based on the positions of the Council disclosed in the information).</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3697	b) expected to confer a commercial advantage or prejudice Council's commercial position
27/08/2019	Ordinary Council	17.1	Grenville Hub - Prudential Review Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.1 - Attachment(s) for Item 17.1 - Minutes for Item 17.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) information the disclosure of which -</p> <ul style="list-style-type: none"> 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. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to the contractor because that party is currently in commercial negotiations with the Council related to this matter, and that party could adjust their bargaining position to the detriment of the Council based on the positions of the Council disclosed in the information).</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3716	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
5/11/2019	Corporate Governance Committee	8.1	Examination	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachments for Item 8.1 - Minutes for Item 8.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>The CEO in consultation with the Mayor be delegated the authority to release the management response if required.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because Council is obligated under the Public Audit Act to ensure confidentiality of information until State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3807	j) information provided by/to a Minister of the Crown or other authority
5/11/2019	Special Council	3.1	Examination	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 3.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Attachments for Item 3.1 - Minutes for Item 3.1 <p>This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>The CEO in consultation with the Mayor be delegated the authority to release the management response if required.</p> <p>/</p> <p>in order to consider in confidence agenda item 3.1 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because Council is obligated under the Public Audit Act to ensure confidentiality of information until State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3813	j) information provided by/to a Minister of the Crown or other authority

Orders to be revoked

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
6/01/2020	CEO Review Committee	8.1	CEO Review Services Select Request for Quote (RFQ) Shortlist	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>The Committee authorise the CEO to conduct appropriate reference checks:</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because tender responses to the select request for quote contain commercial information that is provided on a confidential basis. On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3883	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
4/02/2020	Corporate Governance Committee	8.1	Chief Executive Officer Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until the next annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because Council is obligated under the Public Audit Act to ensure confidentiality of information until the State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Committee consider it necessary to consider this matter in confidence.</p>	3905	i) current or pending litigation

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
24/05/2016	Ordinary Council	16.1	External Support to CEO Performance Review Committee	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 16.1 be kept confidential:</p> <ul style="list-style-type: none"> - Report for Item 16.1 until the expiry of this contract with Jane Jeffreys Consulting. - Attachment(s) for Item 16.1 until the expiry of this contract with Jane Jeffreys Consulting. - Discussion for item 16.1 until the expiry of this contract with Jane Jeffreys Consulting. <p>/</p> <p>...to consider in confidence agenda item number 16.1 under Section 90 (3) (k) of the Local Government Act 1999 on the basis that:</p> <p>(k) tenders for the supply of goods, the provision of services or the carrying out of works.</p>	2582	k) tender for supply of goods or services
12/02/2019	Strategic Planning Committee	9.1	Playford Health Precinct - Statement of Intent for Development Plan Amendment	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (m) of the Local Government Act 1999:</p> <p>Report for item 9.1</p> <p>Attachments 1, 3 and 4 for item 9.1</p> <p>Decision for item 9.1</p> <p>This order shall operate until the commencement of the public consultation period, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (m) of the Local Government Act 1999 on the basis that:</p> <p>(m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.</p> <p>This matter is Confidential because this Development Plan Amendment has yet to be released for public consultation.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3402	m) proposed DPA yet to be released for public consultation
5/03/2019	Corporate Governance Committee	9.1	Risk Items Update	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (g) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for item 9.1 - Presentation for item 9.1 <p>This order shall operate until both items have been officially closed out and made public, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item number 9.1 under Section 90 (3) (g) of the Local Government Act 1999 on the basis that:</p> <p>(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 constituted by law, any duty of confidence, or other legal obligation or duty.</p> <p>This matter is Confidential because Council is obligated under Public Audit Act to ensure confidentiality of information until State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3441	g) to ensure Council does not breach any law, order or direction of a court or tribunal

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
18/03/2019	CEO Review Committee	9.1	Chief Executive Officer Recruitment Process	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachment(s) for Item 9.1 - Decision for Item 9.1 <p>This order shall operate until such time as the new CEO has been appointed.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to a consultant or person applying for the position. This information is contributing to the scoping and planning for the CEO recruitment process and a third party could adjust their bargaining position to the detriment of the Council based on the positions of the Council disclosed in the information.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3455	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
19/03/2019	Services Committee	9.1	Grenville Hub Project	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> • Report for Item 9.1 • Attachment(s) for Item 9.1 <p>This order shall operate until the construction contract is awarded and made public, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because it contains information relating to the project budget that could potentially confer an unfair advantage to a third party during the tender process.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	3465	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/03/2019	Ordinary Council	18.1	Grenville Hub Project	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 18.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> • Report for Item 18.1 • Attachment(s) for Item 18.1 <p>This order shall operate until the construction contract is awarded and made public, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item number 18.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and</p> <p>ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because it contains information relating to the project budget that could potentially confer an unfair advantage to a third party during the tender process.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council/Committee consider it necessary to consider this matter in confidence.</p>	3484	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
26/03/2019	Ordinary Council	18.2	Election of Greater Adelaide Regional Organisation of Councils (GAROC) Representatives	<p>That pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999 the Council orders that the following aspects of Item 18.2 be kept confidential in accordance with Council's reason to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>Report for item 18.2</p> <p>Attachment(s) for item 18.2</p> <p>This order shall operate until the Local Government Association announces the election results, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.2 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it relates to personal affairs and a voting process which will be made public once the election results have been announced.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3488	a) unreasonable disclosure of personal affairs

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
26/03/2019	Ordinary Council	18.4	Chief Executive Officer Recruitment Process	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 18.4 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 18.4 - Attachment(s) for Item 18.4 - Decision for Item 18.4 (Part 1 and 3) <p>This order shall operate until such time as the new CEO has been appointed.</p> <p>/</p> <p>... in order to consider in confidence agenda item number 18.4 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to a consultant or person applying for the position. This information is contributing to the scoping and planning for the CEO recruitment process and a third party could adjust their bargaining position to the detriment of the Council based on the positions of the Council disclosed in the information.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3495	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
8/04/2019	CEO Review Committee	9.1	CEO Recruitment Services Tender Scope	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 9.1 - Attachment(s) for Item 9.1 - Decision for Item 9.1 <p>This order shall operate until such time that the tender document seeking recruitment services is released to the market.</p> <p>/</p> <p>in order to consider in confidence agenda item number 9.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and ii) information the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to a recruitment agency before it is released to the market.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3506	b) expected to confer a commercial advantage or prejudice Council's commercial position
27/05/2019	CEO Review Committee	9.1	Recruitment Agency Services Tender Evaluation	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 9.1 be kept confidential in accordance with Committee reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Minutes for Item 9.1 <p>This order shall operate until the contract has been signed by the successful Recruitment Agency, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>...in order to consider in confidence agenda item number 9.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (d) i) commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and ii) commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest. <p>This matter is Confidential because tender submissions contain commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3566	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
2/07/2019	Corporate Governance Committee	6.3	CEO Update	no retention order made		b) expected to confer a commercial advantage or prejudice Council's commercial position
13/08/2019	Corporate Governance Committee	8.2	External Audit Update	no retention order made		j) information provided by/to a Minister of the Crown or other authority
13/08/2019	Strategic Planning Committee	8.1	Playford Health Precinct DPA	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council/Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Council's/Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (m) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment(s) 1 and 2 for Item 8.1 - Decision for Item 8.1 <p>This order shall operate until the commencement of the public consultation period, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (m) of the Local Government Act 1999 on the basis that:</p> <p>(m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.</p> <p>This matter is Confidential because this Development Plan Amendment has yet to be released for public consultation.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3686	m) proposed DPA yet to be released for public consultation
27/08/2019	Corporate Governance Committee	8.1	Audit Report	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 8.1 - Attachment(s) for Item 8.1 - Minutes for Item 8.1 <p>This order shall operate until the State Government release the report to Parliament, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>The CEO is delegated the power to release information as necessary to provide a response to Parliament or other agencies as required.</p> <p>/</p> <p>... in order to consider in confidence agenda item 8.1 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <p>(j) information the disclosure of which -</p> <ul style="list-style-type: none"> 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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because Council is obligated under the Public Audit Act to ensure confidentiality of information until State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3703	j) information provided by/to a Minister of the Crown or other authority

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
9/09/2019	Special Council	3.1	CEO Recruitment	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Minutes for Item 3.1</p> <p>This order shall operate until such time that a new Employment Agreement has been signed by the CEO or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>... in order to consider in confidence agenda item 3.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it contains information which relates to the personal details of individuals that have applied for the position of Chief Executive Officer.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3724	a) unreasonable disclosure of personal affairs
11/09/2019	Special Council	3.1	Chief Executive Officer Employment Agreement	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <p>- Report for Item 3.1</p> <p>- Attachment(s) for Item 3.1</p> <p>- Minutes for Item 3.1</p> <p>This order shall operate until the Employment Agreement has been executed or until the next scheduled annual review of confidential items by Council, whichever occur first, at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>/</p> <p>... in order to consider in confidence agenda item 3.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because it contains information which relates to the personal details of individuals that have applied for the position of Chief Executive Officer.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3731	a) unreasonable disclosure of personal affairs
1/10/2019	Corporate Governance Committee	8.1	Findings of External Audit	no retention order made	-	g) to ensure Council does not breach any law, order or direction of a court or tribunal
28/10/2019	CEO Review Committee	8.1	CEO Review Services Select Request for Quote (RFQ) Scope	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with the Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (b) of the Local Government Act 1999:</p> <p>- Attachment for Item 8.1</p> <p>This order shall operate until such time that the tender document seeking CEO review services is released to the market.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (b) of the Local Government Act 1999 on the basis that:</p> <p>(b) i) information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and</p> <p>ii) information the disclosure of which would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because the disclosure of this information could reasonably be expected to be commercially advantageous to an agency or consultant before it is released.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3803	b) expected to confer a commercial advantage or prejudice Council's commercial position

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
5/11/2019	Corporate Governance Committee	8.2	Independent Commissioner Against Corruption (ICAC) Evaluation Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.2 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Presentation for Item 8.2 <p>This order shall operate until the Independent Commissioner Against Corruption release the report, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.2 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because it relates the Independent Commissioner Against Corruption Evaluation Report. Council is required to ensure the confidentiality of the information related to and contained within the evaluation report until the Independent Commissioner Against Corruption releases the report.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3809	j) information provided by/to a Minister of the Crown or other authority
5/11/2019	Special Council	3.2	Independent Commissioner Against Corruption Draft Evaluation Report	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.2 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.2 - Attachments for Item 3.2 - Minutes for Item 3.2 <p>This order shall operate until the Independent Commissioner Against Corruption release the report, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item 3.2 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because it relates the Independent Commissioner Against Corruption Evaluation Report. Council is required to ensure the confidentiality of the information related to and contained within the evaluation report until the Independent Commissioner Against Corruption releases the report.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3817	j) information provided by/to a Minister of the Crown or other authority

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
14/11/2019	Special Council	3.1	Independent Commissioner Against Corruption	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 3.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (j) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 3.1 - Attachment(s) for Item 3.1 - Minutes for Item 3.1 <p>This order shall operate until the Independent Commissioner Against Corruption release the report, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>The Council authorise the CEO to submit the endorsed Council response to the Independent Commissioner Against Corruption (ICAC).</p> <p>/</p> <p>in order to consider in confidence agenda item 3.1 under Section 90 (3) (j) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (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 ii) would, on balance, be contrary to the public interest. <p>This matter is Confidential because it relates the Independent Commissioner Against Corruption Evaluation Report. Council is required to ensure the confidentiality of the information related to and contained within the evaluation report until the Independent Commissioner Against Corruption releases the report.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	0	j) information provided by/to a Minister of the Crown or other authority
26/11/2019	Ordinary Council	17.1	Corporate Governance Committee Independent Member Appointment (line 2 of 2)	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Attachments 1, 2 and 3 for Item 17.1 <p>This order shall operate until further order or until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Agenda for Item 17.1 - Minutes for Item 17.1 <p>This order shall operate until such time that the successful and unsuccessful applicants for the Corporate Governance Committee Independent Member position are notified of the outcome.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.1 under Section 90 (3) (a) of the Local Government Act 1999 on the basis that:</p> <ul style="list-style-type: none"> (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). <p>This matter is Confidential because this matter relates to information pertaining to the personal affairs of shortlisted applicants for the Independent Member position on the Corporate Governance Committee.</p> <p>The disclosure of this information would be unreasonable because it contains sensitive information such as personal details of applicants and referees and is not a matter of public knowledge.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3849	a) unreasonable disclosure of personal affairs

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
3/12/2019	Corporate Governance Committee	8.1	CEO Update	<p>Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (i) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>This order shall operate until the report is tabled in the parliament by the Auditor General, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (i) of the Local Government Act 1999 on the basis that:</p> <p>(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.</p> <p>This matter is Confidential because Council is obligated under the Public Audit Act to ensure confidentiality of information until State Government are ready to release.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3860	i) current or pending litigation
6/01/2020	CEO Review Committee	8.1	CEO Review Services Select Request for Quote (RFQ) Shortlist	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (d) of the Local Government Act 1999:</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>The Committee authorise the CEO to conduct appropriate reference checks.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90 (3) (d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because tender responses to the select request for quote contain commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3883	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
28/01/2020	CEO Review Committee	8.1	CEO Review Services Provider Selection	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>- Attachment for Item 8.1</p> <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999:</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90(3)(d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because tender responses to the select request for quote for CEO review services and subsequent reference checks contain commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3888	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party
18/02/2020	CEO Review Committee	8.1	CEO Review Services Provider - Proposed Contract for Approval	<p>1) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999:</p> <p>- Report for Item 8.1</p> <p>- Attachment for Item 8.1</p> <p>This order shall operate until further order and will be considered at the annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the Local Government Act 1999.</p> <p>2) Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 8.1 be kept confidential in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999:</p> <p>- Minutes for Item 8.1</p> <p>This order shall operate until such time that the successful and unsuccessful tenderers for CEO review services are notified of the outcome of the select Request for Quote.</p> <p>/</p> <p>in order to consider in confidence agenda item 8.1 under Section 90(3)(d) of the Local Government Act 1999 on the basis that:</p> <p>(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -</p> <p>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</p> <p>ii) would, on balance, be contrary to the public interest.</p> <p>This matter is Confidential because it involves review of contractual documentation relating to CEO review services; which contains commercial information that is provided on a confidential basis.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Committee consider it necessary to consider this matter in confidence.</p>	3914	d) commercial information expected to prejudice the commercial position of an individual or confer commercial advantage on a third party

Orders lapsed

Date	Meeting	Item No.	Title	Confidential Orders	Retention order #	Review Reasoning
25/02/2020	Ordinary Council	17.3	Organisational Delivery	<p>Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following aspects of Item 17.3 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999:</p> <ul style="list-style-type: none"> - Report for Item 17.3 - Attachment(s) for Item 17.3 - Minutes for Item 17.3 <p>This order shall operate until 9 March, 2020, or the date at which organisational changes are implemented, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.</p> <p>/</p> <p>in order to consider in confidence agenda item 17.3 under Section 90(3)(a) of the Local Government Act 1999 on the basis that:</p> <p>(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).</p> <p>This matter is Confidential because is it relates to employees of the Council.</p> <p>On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; Council consider it necessary to consider this matter in confidence.</p>	3946	a) unreasonable disclosure of personal affairs
7/04/2020	Special Council	5.1	Health Precinct - ACH Development Update	no retention order made		b) expected to confer a commercial advantage or prejudice Council's commercial position
21/04/2020	Services Committee	8.2	NAWMA 20/21 Budget Briefing	no retention order made	-	b) expected to confer a commercial advantage or prejudice Council's commercial position

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE

Purpose

To resolve how long agenda item 17.1 is to be kept confidential.

STAFF RECOMMENDATION

This item is not retained in confidence.

Released 26 May 2020

17.2 REVIEW OF GENERAL MANAGER RECRUITMENT

Contact Person: Ms Christie Russell

Why is this matter confidential?

Subject to an order pursuant to Section 90 (3) (h) of the Local Government Act 1999, this matter is confidential because the present matter relates to legal advice provided by Norman Waterhouse Lawyers.

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

No action – this motion passed in the open section.

B. THE BUSINESS MATTER**17.2 REVIEW OF GENERAL MANAGER RECRUITMENT**

Responsible Executive Manager : Ms Christie Russell

Report Author : Ms Christie Russell

Delegated Authority : Matters for Information.

Purpose

Council to review legal advice relating to the appointment of the General Manager positions as part of a review being undertaken by Norman Waterhouse.

STAFF RECOMMENDATION

Nil.

Relevance to Strategic Plan

1: Smart Service Delivery Program

Outcome 1.2 Improved service delivery

Relevance to Public Consultation Policy

There is no requirement to consult the community on this matter.

Background

In April 2020 Norman Waterhouse were engaged to undertake a review and provide a report to council on the recruitment process for the General Manager positions at City of Playford.

Current Situation

The report prepared by Norman Waterhouse has been developed and will be presented to the elected body at a council meeting as per the scope of works.

The report for this item will be available for the elected body to read at the council meeting on Tuesday 26th May 2020.

Future Action

Council to determine any future action it wishes to take in relation to this matter.

Released 26 May 2020

C. COUNCIL/COMMITTEE TO DECIDE HOW LONG ITEM 17.2 IS TO BE KEPT IN CONFIDENCE**Purpose**

To resolve how long agenda item 17.2 is to be kept confidential.

STAFF RECOMMENDATION

Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(h) of the Act:

- The Minutes for Item 17.2 of 26 May 2020
- Attachment(s), specifically, the legal advice provided by Norman Waterhouse Lawyers set out in the report of Norman Waterhouse Lawyers and provided to the Council at its meeting of 26 May 2020; for Item 17.2

on the grounds that the document(s) (or part) relates to:

- legal advice

Specifically, legal advice provided by Norman Waterhouse Lawyers.

This order shall operate until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.