

17

CONFIDENTIAL REPORTS

17.1

REPORT TITLE: REVIEW OF CONFIDENTIAL REPORTS

DATE OF MEETING: 1 SEPTEMBER 2008

AUTHOR: ROS MCDUGALL

AUTHOR'S TITLE: GOVERNANCE OFFICER

REPRESENTORS:

FILE NUMBER: 10-030-003

ATTACHMENTS: NIL

DEPARTMENT: CORPORATE

**DEPARTMENT
MANAGER: NARELLE JEFFERY**

PURPOSE

To review the duration of confidential reports to Council 2003 – 2008.

RECOMMENDATION

1. That pursuant to Section 90(2) and 90(3) of the Local Government Act 1999 the District Council of Mount Barker orders that the public be excluded from attendance at the meeting to consider in confidence matters regarding
 - (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
2. That the Chief Executive Officer, General Manager Assets & Infrastructure, General Manager Strategy and Development, General Manager Corporate and Community Services, and the Minute Secretary be permitted to remain in the room.

3. That the following confidential reports be released or extended as indicated:

DATE OF CONFIDENTIAL REPORT TO COUNCIL	SUBJECT OF CONFIDENTIAL REPORT	DATE OF EXPIRATION OF CONFIDENTIAL REPORT	DATE EXTENDED, RELEASED OR REMAIN UNCHANGED	ITEM TO COMPRISE (agenda, attachments, minutes)
2003				
23 July	Cameron Rd	6 Sept 08	Extend to 9 September 2009	All items
20 October	Carparking within the Mt Barker Township	6 Sept 08	Extend to 9 September 2009	All items
2004				
21 June	Cameron Rd	6 Sept 08	Extend to 9 September 2009	All items
2005				
17 May	Carparking within the Township	6 Sept 08	Extend to 9 September 2009	All items
2006				
16 January	Monarto Quarries Site	6 Sept 08	Extend to 9 September 2009	All items
6 February	Strategic Land Purchase	6 Sept 08	Extend to 9 September 2009	
6 March	Morphett Street Drainage	6 Sept 08	Extend to 9 September 2009	All items
1 May	Stormwater Management Policy Framework and Update	6 Sept 08	Extend to 9 September 2009	All items
19 June	Flood Retention Basin	6 Sept 08	Extend to 9 September 2009	All items
19 July	Developer Contributions	6 Sept 08	Extend to 9 September 2009	All items
7 August	Morphett St Stormwater	6 Sept 08	Extend to 9 September 2009	All items

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2006 – con'td				
7 August	Developer Contributions – Receipt of Submissions	6 Sept 08	Extend to 9 September 2009	All items
6 Sept	Meadows Infrastructure	6 Sept 08	Extend to 9 September 2009	All items
18 Dec	Proposed Land Acquisition	6 Sept 08	Extend to 9 September 2009	All items
2007				
15 January	YMCA	6 Sept 08	Extend to 9 September 2009	All items
19 Feb 07	YMCA	6 Sept 08	Extend to 9 September 2009	All items
12 Oct 07	Town Centre	12 Oct 08	Extend to 9 September 2009	All items except the minute relating to the Anglican Church component (released 17 March 08)
26 Nov 07	CEOs Review	5 Nov 08	Extend to 9 September 2009	All items
3 Dec 07	Strategic Land Parcels	30 June 08 or contract execution	Extend to 9 September 2009 or until contract executed whichever is sooner	All items

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2008				
3 Mar 08	Strategic Land Parcels	15 Dec 08 Or until contract executed whichever is sooner	Extend to 9 September 2009 or until contract executed whichever is sooner	All items
16 June 08	Strategic Land Parcels	15 Dec 08 Or until contract executed whichever is sooner	Extend to 9 September 2009 or until contract executed whichever is sooner	All items
14 July 08	Possible Acquisition of Land for Treated Waste Water Storage	17 Nov 08	Unchanged	All items

CONFIDENTIAL ATTACHMENTS TO REPORTS

DATE OF REPORT with CONFIDENTIAL ATTACHMENT	SUBJECT OF CONFIDENTIAL ATTACHMENT	DATE OF EXPIRATION OF CONFIDENTIAL ATTACHMENT	DATE EXTENDED, RELEASED OR REMAIN UNCHANGED
2006			
16 Oct 06	Lease of Fitness Centre at Adelaide Hills Recreation Centre – historical information & legal advice,	6 Sept 08	Extend to 9 Sept 09
2007			
5 March 07	Contract Variation – Management of the AH Recreation Centre – letter from YMCA	6 Sept 08	Extend to 9 Sept 09
17 Sept 07	Tender – bulk waste cartage – schedule of rates	1 Sept 2010	Unchanged
5 Nov 07	Mt Barker Summit Interpretive and Facility Plan	5 Nov 08	release

3. That the Council orders pursuant to Section 91(7), (8) and (9) of the Local Government Act 1999 that the discussion relating to this item be kept confidential until 9 September 2009.

BACKGROUND

Section 91 of the Local Government Act 1999 requires Council to review at least once in every year confidential orders that are for a period exceeding 12 months. Council last reviewed the confidential reports on 3 September 2007.

DISCUSSION

The table above indicates all existing confidential items from January 2003 until 18 August 2008. There is an opportunity to reduce or extend the period of confidentiality.

Items that are recommended to remain confidential are usually due to ongoing discussions or where further investigations are currently underway.

It is also possible that during the next 12 months the confidentiality period may be removed by a subsequent report on any of the particular items listed in the table.

POLICY IMPLICATIONS

1. Financial/budget

N/A

2. Legal

The Act requires a review of all confidential items with a time limit of greater than 12 months.

3. Staffing/Work Plans

The minute book and files will be updated with the latest recommended date. The website will have a list of released confidential agenda items and associated minutes from this report.

4. Environmental

N/A

5. Social

N/A

6. Strategic Plans

Goal 6 – Council will promote and conduct its core business in an ecologically sustainable, informative and accountable manner.

COMMUNITY CONSULTATION

1. Customer Needs Analysis

n/a

2. Promotion/Communications

n/a