

# Confidential Item Register



Section 90 of the Local Government Act 1999 details the provisions for when a Council or Committee may order that the public be excluded from attendance at a meeting for the purposes of receiving, discussing or considering in confidence information relevant to section 90(3) of the Act. The Council or Committee may also order that some or all of the documents associated with the item also be kept confidential. In the event that this occurs, the Council or Committee must also specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

In some instances, the Council or Committee may delegate the power to revoke the order to an employee of the Council (such as the Chief Executive). In any event, in accordance with section 91(9) of the Local Government Act 1999, any order that operates for a period exceeding 12 months must be reviewed at least once in every year. There are no items being held in confidence from earlier than 2019.

The Confidential Items Register was last reviewed by Council on 22 January 2024. The next review will occur in **April 2024**.

**Once a confidential item has been released, the report, appendices and minutes will be published separately under the corresponding meeting date on Council's Agenda and Minutes webpage.**

<http://www.charlessturt.sa.gov.au/Agendas&Minutes>

Council / Committee	Date	Item No.	Subject	Section No.	Confidentiality Order Duration	Status
Council	26/08/2019	11.09	Local Response to Chinese National Sword	90(3)(b)(i)(ii) 90(3)(k)	It is recommended that the report and appendices of this item be kept confidential for a period of five years due to the commercially sensitive information contained within, noting confidentiality reviews are undertaken quarterly. The Minutes were released following the meeting.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	9/06/2020	11.02	Central Adelaide Waste and Recycling Authority and Materials Recovery Facility Update	90(3)(b)(i)(ii) 90(3)(d)(i)(ii)	It is recommended that report be released on completion of the construction of the MRF, Appendix A be released on completion of the construction of the MRF; Appendix B be released in 3 years time as requested by the CAWRA Board; Appendix C be released in 12 months time as requested by the CAWRA Board and the minutes be released once the MRF commences operation.  <u>Confidential Order Extension Attached to Appendix B (CL 13/06/23, Item 6.63):</u> That Appendix A contained within Appendix B be kept confidential for a further 12 months. That the remaining parts to Appendix B of this item be released.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024

Council / Committee	Date	Item No.	Subject	Section No.	Confidentiality Order Duration	Status
Council	13/07/2020	11.04	Materials Recovery Facility - Prudential Report and Grant Funding Update	90(3)(b)(i)(ii) 90(3)(k)	<p>It is recommended that the report, minutes and Appendix B be kept confidential until such time as the MRF becomes operational and Appendix A be kept confidential for a period of five years due to the commercially sensitive information contained within, noting confidentiality reviews are undertaken quarterly. And that in any event, the item remain in confidence until such time as the City of Port Adelaide Enfield has made its decision and that if the decision varies from the City of Charles Sturt, a further report to be presented to Council to enable an alternative to be put in place.</p> <p>The report, Appendix B and the Minutes have been released as their triggers have been reached.</p>	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Council	10/08/2020	11.05	Agent Engagement and Income Estimates Regarding Disposal of 318 Seaview Road, Henley Beach	90(3)(d)(i)(ii)	<p>It is recommended that the report, minutes and Appendix A, be kept confidential until such time as the property is settled following sale.</p> <p><b>Note: This item was deferred until after the further report to Item 6.69 had been determined. Council resolved to defer the matter until February 2021 (refer CL 28/09/20, Item 6.89) to allow time for a strategic report of Council owned building/property assets in Henley Beach and environs to be presented by staff. Report has been deferred to a further meeting of Council once funding has been confirmed (refer CL 22/02/21, Item 6.18 Interim Report).</b></p>	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Council	24/05/2021	11.01	Proposal for Sale - Portion of 111A Woodville Road, St Clair	90(3)(b)(i)(ii)	It is recommended that the report, appendices and the minutes of this item be kept confidential until all conveyancing transactions to transfer ownership have been finalised and new ownership title issued.	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Corporate Services	7/06/2021	9.01	CAWRA - Draft Annual Budget 2021/22	90(3)(b)(i)(ii)	It is recommended that the report, appendices and the minutes of this item be kept confidential until June 2024 at the request of the CAWRA Board as it contains commercially sensitive information.	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Council	15/06/2021	12-9.01				
Council	12/07/2021	11.03	Legal Action - Pre-Action Response	90(3)(i)	It is recommended that the report and the minutes of this item be kept confidential until the conclusion of any legal action.	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Audit	20/07/2021	9.02	Legal Action - Pre-Action Response	90(3)(i)	It is recommended that the report and the minutes of this item be kept confidential until the conclusion of any legal action.	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>
Council	26/07/2021	12-9.02				
Council	23/08/2021	11.05	Proposal for Sale - Portion of 111A Woodville Road St Clair	90(3)(b)(i)(ii)	It is recommended that the report, appendices and minutes be kept confidential until all conveyancing transactions to transfer ownership have been finalised and new ownership title issued.	<p><b>Remains in Confidence</b></p> <p>Last reviewed 22/01/2024</p>

Council / Committee	Date	Item No.	Subject	Section No.	Confidentiality Order Duration	Status
Council	27/09/2021	11.07	Valuation of 67-85 Woodville Road	90(3)(b)(i)(ii)	It is recommended that the report, minutes and appendices be kept confidential until such time as the property is settled following sale.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	25/10/2021	11.09	Legal Action Related to Third Party Advice in Regards to Local Government Joint Electricity Contract	90(3)(h) 90(3)(i)	It is recommended that the report, appendices and the minutes of this item be kept confidential until the dispute is resolved and appeal rights exhausted.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Audit	26/10/2021	9.04				
Council	8/11/2021	12-9.04				
Council	28/02/2022	11.01	Progressing the Possible Sale of 67-85 Woodville Road - Expression of Interest Update	90(3)(b)(i)(ii)	It is recommended that the report, minutes and appendices be kept confidential until such time as the property is settled following sale.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	14/06/2022	11.04	Valuations and Prudential Report - Future of Henley Library, Community Centre and Henley Depot	90(3)(b)(i)(ii)	It is recommended that the report, minutes, and appendices be kept confidential until such time as all the property disposals have been settled following sale.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	14/06/2022	11.05	CAWRA - Draft Annual Budget 2022/23	90(3)(d)(i)(ii)	It is recommended that the report and appendices of this item be kept confidential until June 2027 at the request of the CAWRA Board as it contains commercially sensitive information relevant to current and future contractual negotiations.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	11/07/2022	11.07	Central Adelaide Waste and Recycling Authority Update Report	90(3)(b)(i)(ii) 90(3)(d)(i)(ii)	It is recommended that the report and minutes of this item be held in confidence for 5 years.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	25/07/2022	11.09	Additional T1 Groundwater Licenses Opportunity	90(3)(d)(i)(ii)	It is recommended that the report and minutes of this item be kept confidential until the finalisation of the procurement process for the groundwater licence formerly utilised by the West End Brewery site.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
City Services	18/07/2022	9.01	Confidential Presentation - Code Amendment - Policy Considerations Post Engagement - Albert Park - Kidman Park - West Lakes	90(3)(d)(i)(ii)	It is recommended that the report, appendices and minutes be kept confidential until the conclusion of the code amendment process, at the request of the proponents as it contains commercially sensitive information relevant to current and future contractual negotiations.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	25/07/2022	12-9.01				
Council	22/08/2022	11.13	Legal Action Related to Third Party Advice in Regards to Local Government Joint Electricity Contract	90(3)(h) 90(3)(i)	It is recommended that the report, appendices and minutes of this item be kept confidential until the dispute is resolved and appeal rights exhausted.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024

Council / Committee	Date	Item No.	Subject	Section No.	Confidentiality Order Duration	Status
Council	12/09/2022	11.14	Additional T1 Groundwater Licenses Opportunity Stage 2	90(3)(d)(i)(ii)	It is recommended that the report, appendix and minutes of this item be kept confidential until the finalisation of the procurement process for the groundwater licence that was formerly utilised by the West End Brewery site.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	22/05/2023	11.03	CAWRA - Draft Annual Budget 2023/24	90(3)(b)(i)(ii) 90(3)(d)(i)(ii)	It is recommended that the report, appendix and minutes be kept confidential for a period of five (5) years.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Audit	29/05/2023	9.01	Internal Audit Report - Cyber Security	90(3)(e)	It is recommended that the appendix of this item be kept confidential until all internal audit findings have been addressed in line with the agreed management actions contained within the report.  <u>Confidential Order Amendment (CL 22/01/24, Item 6.04):</u> That the appendix of this item be kept confidential until May 2025.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	14/08/2023	11.05	CAWRA 3 Year Business Plan & Long Term Financial Plan	90(3)(b)(i) and (ii)	It is recommended that the report, appendix and the minutes of this item be kept confidential for a period of 3 years.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	9/10/2023	11.07	Legal Action Related to Third Party Advice in Regards to Local Government Joint Electricity Contract	90(3)(h) 90(3)(i)	It is recommended that the report, appendices and the minutes of this item be kept confidential until the dispute is resolved and appeal rights exhausted.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024
Council	23/10/2023	11.08	Agent Engagement Process and Revised Value Estimates Regarding Disposal of 318 Seaview Road, Henley Beach	90(3)(d)(i)(ii)	It is recommended that the report, minutes and appendices be kept confidential until such time as the property is settled following sale.	<b>Remains in Confidence</b>  Last reviewed 22/01/2024