



# **MINUTES**

of

# **COUNCIL MEETING**

held via

# **MICROSOFT TEAMS**

on

**MONDAY 20 MARCH 2020 AT 7:00PM**

## MINUTES 20 April 2020

*The Meeting was declared open at 7.00pm.*

### 1. ATTENDANCE RECORD

#### 1.1 Present

Mayor Elizabeth Fricker by physical attendance  
 Cr Rob Ashby AM by physical attendance  
 Cr N Coleman OAM by physical attendance  
 Cr S Furlan by physical attendance  
 Cr J Joshi by audio-visual link  
 Cr J Nenke by audio-visual link  
 Cr C Wilkins by audio-visual link  
 Cr J Williams by audio-visual link

#### Staff in Attendance

Chief Executive Officer, K Cristol  
 Group Manager Assets & Infrastructure, J Bowen  
 Group Manager Corporate Services, K Bone  
 Group Manager Customer Experience, D Garvey  
 Group Manager Planning, Environment and Regulatory Services, A Caddy  
 Manager Community Development and Engagement, F Deckert  
 Business Analyst (Property and Contracts), S Reardon  
 Communications Officer, S Spencer  
 Council Secretariat, V Davidson

#### 1.2 Apologies

#### 1.3 Not Present / Leave of Absence

### 2. CONFIRMATION OF MINUTES

**Moved:** Cr Ashby

**Seconded:** Cr Wilkins

#### **CNC331/19-20**

That the minutes of the Council meeting held on the 16 March 2020 be confirmed as a true and accurate record of the proceedings.

**CARRIED**

### 3. DECLARATIONS OF INTEREST (material, actual, perceived)

- 3.1 Cr MaryLou Bishop declared a perceived conflict of interest in Item 14.1.2 Medindie Transport & Parking Plan Community Consultation Outcome as she lives in Briar Avenue, Medindie. Cr Bishop advised that she would stay in the room, participate in the debate and vote on the matter.
- 3.2 CEO, Kiki Cristol, declared an interest under s120 of the *Local Government Act 1999* in Item 19.5 CEO Performance Review Appointment of Consultant as the Item relates to her 2019/ 2020 Performance Review and advised that she will leave the room while the item is being considered.

### 4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

### 5. MAYORS DIARY

#### 5.1 Mayors Diary

**Moved:** Cr Bishop  
**Seconded:** Cr Furlan

#### **CNC332/19-20**

The Council receives and notes the Mayoral Diary from 12 March 2020 to 16 April 2020; including the verbal report provided.

**CARRIED**

### 6. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED TRAINING, CONFERENCES OR SEMINARS

Nil.

### 7. REPORTS FROM ELECTED MEMBERS HAVING ATTENDED SUBSIDIARY BOARD MEETINGS

- 7.1 Eastern Health Authority Board Verbal Report - Cr Jennifer Joshi
- 7.2 East Waste Update Verbal Report - Cr Rob Ashby

### 8. QUESTIONS FROM THE GALLERY

Nil.

### 9. QUESTIONS WITHOUT NOTICE

#### 9.1 Revocation of Community Land Status - Cr Ashby

**Has the revocation application for Smith Street been sent and has it been**

## acknowledged and what response, if any, has been received?

### Administration Response

The revocation submission was sent to the Office of Local Government and Minister Knoll's office on 9 April 2020 and receipt, from both parties, was acknowledged on 10 April 2020. Alex Hart, Director Planning and Use Services from the Office of Local Government has contacted the Administration and requested a teleconference to discuss elements of the proposal. The teleconference is scheduled to be held on 22 April 2020.

#### 10. QUESTIONS ON NOTICE

Nil.

#### 11. PETITIONS

Nil.

#### 12. MOTIONS WITHOUT NOTICE

Nil

#### 13. MOTIONS WITH NOTICE

Nil.

#### 14. REPORTS REQUIRING DECISION OF COUNCIL

##### 14.1 Strategy

##### 14.1.1 2020-2024 Living in the Town of Walkerville: a Strategic Community Plan

**Moved:** Cr Joshi

**Seconded:** Cr Wilkins

##### **CNC333/19-20**

1. That Council note the public consultation feedback received on the draft Strategic Plan titled '*2020-2024 Living in the Town of Walkerville: a strategic community plan*' and agree to incorporate the following suggestion as it relates to Key Pillar 3: 'Mobility & Movement':-
  - a. By amending the Desired Outcome, which currently reads: "*Road conditions are improved through design, construction and management of local roads*" so as to read: "*Road **and footpath** conditions are improved through **safety audits**, design, construction and management of local roads **and footpaths***";
2. That Council resolves to adopt the following statement as its Vision Statement: -
 

***A liveable, cohesive, safe, active and sustainable township***
3. That Council resolves to adopt the following statement as its Mission Statement: -

*We will provide services that are affordable, equitable and sustainable*

4. That Council resolves to adopt the following statement as its Values Statement: -

*We are fair and ethical in our decision making*

5. That all changes identified in items 1 to 4 above are incorporated into the Strategic Plan titled '2020-2024 Living in the Town of Walkerville: a strategic community plan' and the final version is presented to the next ordinary meeting of Council, being 18 May 2020 for adoption.
6. That Administration write to those who formally responded to the public consultation process, informing them of the outcome.

**CARRIED**

#### 14.1.2 Medindie Transport & Parking Plan Community Consultation Outcome

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

#### **CNC334/19-20**

That Council:

1. Notes the final Medindie Transport & Parking Plan *Summary Report* appearing as Attachment A to this report.
2. Adopts Option 5B as presented by GTA Consultants and requests that Administration presents a report to the next Ordinary meeting of Council to determine an adequate allocation of parking permits.
3. Notes and considers all correspondence from the Wilderness School via their representatives (Attachment B and Attachment C).
4. Notes the Town of Walkerville CEO's response to all correspondence received from the Wilderness School (Attachment D).
5. Instructs Administration to review and report on the success of any parking restrictions recommended, 12 months post implementation.
6. Requests Administration to review all Council roads entering onto DPTI roads, identify if there are problems and request DPTI to mark the roads with "KEEP CLEAR".

**CARRIED**

14.1.3 Consultation on GAROC Strategic Plan 2019-23 and draft Annual Business Plan 2020-21

**Moved:** Cr Williams  
**Seconded:** Cr Furlan

**CNC335/19-20**

That Council provide feedback to GAROC in relation to the revised Strategic Plan 2019-2023 and draft Annual Business Plan 2020-2021 as set out in Attachment D with the inclusion of community, health and wellbeing as a strategy within the Strategic Plan.

**CARRIED**

14.2 Policy

14.2.1 Codes of Practice Allowing Electronic Attendance at Council Meetings

**Moved:** Cr Williams  
**Seconded:** Cr Coleman

**CNC336/19-20**

1. That in order to enable electronic attendance at meetings of Council, Council adopts the revised Code of Practice – Procedures at Meetings (Attachment A), Code of Practice – Access to Council Meetings, Committee Meetings and Council Documents (Attachment B) and revised Informal Gatherings Policy (Attachment C).
2. That Council notes the Code of Practice – Access to Meetings and Documents is out for public consultation and will be presented to Council for consideration at its ordinary meeting in May 2020.

**CARRIED**

14.2.2 Review of the Community Engagement and Consultation Policy

**Moved:** Cr Bishop  
**Seconded:** Cr Ashby

**CNC337/19-20**

1. That Council adopts the revised Public Engagement and Consultation Policy, appearing as Attachment A to this report, which incorporate Notice No. 2 removing the requirement for Council to hold a public meeting as part of its public consultation on its draft 2020-21 Annual Business Plan and Budget.
2. That Council authorise Administration to make changes of a minor technical or formatting nature to the Public Engagement and Consultation Policy.

**CARRIED**

### 14.3 Operational

#### 14.3.1 Rate Relief –COVID 19

**Moved:** Cr Coleman

**Seconded:** Cr Joshi

#### **CNC338/19-20**

That Council insert the following ‘hardship’ measures to the Rating Policy, to ease the financial pressures on those ratepayers directly affected by COVID-19 and that these measures remain in place during the period of the public health emergency:

- a. defer rate payments for the fourth quarter in the 2019/ 2020 financial year until December 2020. No fines or interest will be applied from 1 April 2020 to 31 December 2020;
- b. ratepayers can arrange to pay their rates weekly, fortnightly or monthly, based on an amount that suits their budget. No fines or interest will apply from 1 April 2020 to 31 December 2020, or for the length of the payment arrangement, whilst payments are being met;
- c. ratepayers experiencing significant financial hardship due to loss of income as a direct result of COVID-19, may be eligible to defer their rates through a postponement until 30 June 2022.

**CARRIED**

#### 14.3.2 Coffee Institute – Dining Fees

**Moved:** Cr Ashby

**Seconded:** Cr Wilkins

#### **CNC339/19-20**

That Council waives the Coffee Institute’s remaining \$219.34, outstanding Outdoor Dining fee for the financial year ending 30 June 2020, recognising that the Outdoor Dining Permit is due to expire on 8 July 2020.

**CARRIED**

#### 14.3.3 Update to Fees & Charges Schedule 2020/21 (Dog Registration Fees & Introduction of Temporary Parking Vouchers)

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

#### **CNC340/19-20**

1. That Council adopts an increase to the current standard dog registration fee by a further \$4 from \$71 to \$75 for the 2020/ 21 financial year, which includes CPI.

2. That Council adopts the following Temporary Parking Voucher fees in accordance with the General On-Street Parking Policy as follows:

- 1-week voucher \$25
- Monthly voucher \$50
- 1 year \$300.

**CARRIED**

14.3.4 Delegations under the *Planning, Development and Infrastructure Act 2016* – Appointing a Council Assessment Panel

**Moved:** Cr Furlan

**Seconded:** Cr Joshi

**CNC341/19-20**

1. That Council receive and note the report titled Delegations under the *Planning, Development and Infrastructure Act 2016* – Appointing a Council Assessment Panel.
2. That Council delegate the powers conferred under Sections 83(1)(b)(i)-(vi) of the *Planning, Development and Infrastructure Act 2016* to the Chief Executive Officer to appoint Panel Members, including Deputy Panel Members and undertake other functions associated with the Council Assessment Panel until the 31 December 2020.

**CARRIED**

14.3.5 Community Fund Application

**Moved:** Cr Wilkins

**Seconded:** Cr Joshi

**CNC342/19-20**

1. That Council allocates the following funds to the Community Fund applicant from the 2019/20 Community Fund budget to purchase plants *only*:
  - a. John Rolls – \$150
2. That Administration write to the applicant for the Community Fund grant and advises them of the Council's resolution and in so doing highlights that all plant purchases are to approved and be from an approved supplier as determined by the Group Manager Asset & Infrastructure and planted under the supervision of the Group Manager Asset & Infrastructure (or as delegated).

**CARRIED**



## 14.4.1 ERA Water Draft Budget 2020/ 21

**Moved:** Cr Furlan  
**Seconded:** Cr Wilkins

**CNC343/19-20**

1. That Council endorses the 2020/ 21 ERA Water Draft Budget and requests that Administration write to ERA Water advising of Council's decision.
2. That the General Manager be required to provide a bi-monthly report to be tabled at ERA Water Board meetings on marketing activities undertaken. This report is to be presented to Constituent Councils.

**CARRIED**Motion

**Moved:** Cr Ashby  
**Seconded:** Cr Bishop

**CNC344/19-20**

That the Mayor and CEO meet with the Mayors and CEOs of the other Constituent Councils with the intent of discussing a review of the performance of ERA Water and the key objectives as listed in the ERA Water Charter with regard to achieving value for money.

**CARRIED****15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION**

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC345/19-20**

That items 16.3.3, 16.3.4, 16.3.5, 16.3.7, 16.3.8 and 16.3.9 be moved as per their recommendations.

**CARRIED****16 REPORTS PRESENTED FOR INFORMATION**16.1 Strategy

Nil.

16.2 Policy

Nil.

### 16.3 Operational

#### 16.3.1 Quarterly Financial Report, incorporating capex / opex

**Moved:** Cr Ashby  
**Seconded:** Cr Bishop

##### **CNC346/19-20**

That Council;

- receives and notes the Quarterly Financial Report, incorporating capex / opex as at 31 March 2020.
- notes the financial impact of COVID-19 to the 2019-20 financial year and that the impacts will be included in the Third Budget Review process.

**CARRIED**

#### 16.3.2 2019/ 2020 CAPEX Projects Status Report, end of March 2020

**Moved:** Cr Joshi  
**Seconded:** Cr Furlan

##### **CNC347/19-20**

That Council receives and notes the 2019/ 20 CAPEX Projects Status Report, as at the end of March 2020.

**CARRIED**

#### 16.3.3 Works Report for March 2020

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

##### **CNC348/19-20**

That Council receives and notes the Works Report for March 2020.

**CARRIED**

#### 16.3.4 Benchmarking & Performance Reporting – March 2020 Report

**Moved:** Cr Bishop  
**Seconded:** Cr Ashby

##### **CNC349/19-20**

That Council receive and note the 'Benchmarking & Performance Reporting' March 2020 report, prepared by UHY Haines Norton and appearing as Attachment A & B to this report.

That Administration present the Benchmarking & Performance Reporting –

March 2020 Report to a future meeting of Council to enable further discussion and debate on the information presented.

**CARRIED**

16.3.5 SA Ombudsman Report 1 July 2019 – 31 December 2019

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC350/19-20**

That Council receive and note the SA Ombudsman Report for the period 1 July 2019 to 31 December 2019.

**CARRIED**

16.3.6 Gilberton Local Area Traffic Management and Parking Plan Update

**Moved:** Cr Williams  
**Seconded:** Cr Joshi

**CNC351/19-20**

1. That Council receives and notes the Gilberton Local Area Traffic Management and Parking Plan Update report appearing as Attachment A.
2. That Administration schedule an informal gathering in order for the report recommendations to be further considered.

**CARRIED**

16.3.7 Community Services Quarterly Report

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC352/19-20**

That Council receive and note the Community Services Quarterly Report for the period January to March 2020.

**CARRIED**

16.3.8 Contributory Items Review Project Update

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC353/19-20**

That Council receives and notes the Contributory Items Review Project update report.

**CARRIED**

16.3.9 Elected Members Allowances and Benefits Register Quarter Ending 31 March 2020

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC354/19-20**

That Council receives and notes the Elected Members Allowance and Benefits Register for quarter ending 31 March 2020.

**CARRIED**

16.4 Subsidiaries

16.4.1 ERA Water Operations Progress Report

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC355/19-20**

That Council receives and notes the ERA Water Operations Progress Reports appearing as Attachment A to this report.

**CARRIED**

16.4.2 ERA Water Board Meeting Minutes

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC356/19-20**

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 27 March 2020.

**CARRIED**

16.4.3 Eastern Health Authority Board of Management Minutes

**Moved:** Cr Furlan  
**Seconded:** Cr Bishop

**CNC357/19-20**

That Council receive and note:

1. the revised minutes of the Eastern Health Authority Board of Management

meeting held on 26 February 2020 appearing as Attachment A to this report.

2. the minutes of Eastern Health Authority Special Board of Management Meeting held via Microsoft Teams on 2 April 2020 appearing as Attachment B to this report.

**CARRIED**

#### 16.5 Outstanding Council resolutions

**Moved:**  
**Seconded:**

**CNC358/19-20**

That Council receive and note the list of Council resolutions currently being processed as at 16 April 2020.

**CARRIED**

### 17 CORRESPONDENCE

**Moved:** Cr Bishop  
**Seconded:** Cr Coleman

**CNC359/19-20**

That the correspondence as listed below be received and noted:

- 17.1 Letter to Mayor Fricker from the Hon Stephan Knoll MP
- 17.2 Letter to Mayor Fricker from Michael Lennon, Chair State Planning Commission
- 17.3 Letter to Mayor Fricker from Mr Ken Matthews AO, Chairman, Agricultural Biotechnology Council of Australia
- 17.4 Letter to Mayor Fricker from Martin Haese, CEO Business SA
- 17.5 Letter to Mayor Fricker from Ms Judy Koh.

**CARRIED**

### 18 URGENT OTHER BUSINESS

Nil

### 19 CONFIDENTIAL ITEMS

- 19.1 COVID-19 – Lease/Licence Rent Waiver Projections

**CNC360/19-20**

**Recommendation (Public)**

**Moved:** Cr Coleman  
**Seconded:** Cr Bishop

Pursuant to s90(3)(b)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Chief Executive Officer Kiki Cristol, Group Manager Asset & Infrastructure Joshua Bowen, Group Manager Corporate Services Katy Bone, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Business Analyst (Property & Contracts) Scott Reardon, Communications Officer, Sarah Spencer and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 19.1 COVID-19 – Lease/Licence Rent Waiver Projections.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item 19.1, is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council may propose to conduct business and would therefore prejudice the commercial position of the Council.

**CARRIED**

*The time being 9.54pm the meeting moved into confidence.*

**Recommendation (Public)**

**Moved:** Cr Bishop  
**Seconded:** Cr Furlan

**CNC361/19-20**

That Council receives and notes this report.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Bishop  
**Seconded:** Cr Ashby

**CNC362/19-20**

Pursuant to s.91(7)

That having considered Agenda Item 19.1 COVID-19 – Lease/Licence Rent Waiver Projections in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report relevant to this Agenda Item be retained in confidence for a period of 12 months or the matter has been finalised, excepting that Council authorises the release of the minutes to substantive party / parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

**CARRIED**

*The time being 10.11pm the meeting moved out of confidence.*

19.2 Levi Caravan Park – Application for Rent Relief

**Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

**CNC363/19-20**

Pursuant to s90(3)(b)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Chief Executive Officer Kiki Cristol, Group Manager Asset & Infrastructure Joshua Bowen, Group Manager Corporate Services Katy Bone, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Business Analyst (Property & Contracts) Scott Reardon, Communications Officer, Sarah Spencer and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 19.2 Levi Caravan Park – Application for Rent Relief.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item 19.2, is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council may propose to conduct business and would therefore prejudice the commercial position of the Council.

*The time being 10.12pm the meeting moved into confidence.*

**CARRIED**

**Recommendation (Confidential)**

**Moved:** Cr Wilkins

**Seconded:** Cr Bishop

**CNC364/19-20**

1. That per the request submitted by Ryad Hill Pty Ltd (dated 8 April 2020) Council endorse a three (3) month deferral of rent for the period between 1 April and 30 June 2020 (inclusive) dependent on substantiation of claim, to be paid back prior to or at the conclusion of the lease;
2. That Council review and evaluate the possibility of continuing the deferral period or additional rent relief options (if required) on a quarterly basis thereafter, the first being the June 2020 Council meeting;

3. That Council notes the projected cashflow implication of -\$120,892.25 for the 2019/20 financial year based on the rent deferral;
4. That Administration obtain further legal advice in order to clarify the requirements and obligations of each party for the remainder of the Term of the Management Agreement.
- 5.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Ashby

**Seconded:** Cr Coleman

**CNC365/19-20**

Pursuant to s.91(7)

That having considered Agenda Item 19.2 Levi Caravan Park – Application for Rent Relief in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachments relevant to this Agenda Item be retained in confidence for a period of 12 months or the matter has been finalised, excepting that Council authorises the release of the minutes to substantive party / parties to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

**CARRIED**

*The time being 10.32pm the meeting moved out of confidence*

19.3 Mr Shane Jones (Watson Car Park) Discretionary Rebate Request

**Recommendation (Public)**

**Moved:** Cr Ashby

**Seconded:** Cr Furlan

**CNC366/19-20**

Pursuant to s90(3)(b)

Pursuant to Section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Chief Executive Officer Kiki Cristol, Group Manager Asset & Infrastructure Josh Bowen, Group Manager Corporate Services Katy Bone, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Communications Officer, Sarah Spencer and Council Secretariat Vanessa



Davidson, be excluded from attendance at the meeting for Agenda Item 'Jones (Watson Car Park) Discretionary Rebate Request'.

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**CARRIED**

*The time being 10.33pm the meeting moved into confidence.*

**Recommendation (Confidential)**

**Moved:** Cr Ashby

**Seconded:** Cr Furlan

**CNC367/19-20**

That the Council accepts Mr Shane Jones request for a discretionary rebate for the financial year ending 30 June 2020 for an amount of \$1,193.00.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Ashby

**Seconded:** Cr Furlan

**CNC368/19-20**

Pursuant to s.91(7)

That having considered Agenda Item 'Jones (Watson Car Park) Discretionary Rebate Request' in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report and attachments relevant to this Agenda Item be retained in confidence until the matter is resolved, excepting that the Council authorises the release of the Council resolution to those parties identified in the substantive resolution relating to this Agenda Item to enable enactment of the resolution and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order;

and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* and re-admit the public.

**CARRIED**

*The time being 10.34pm the meeting moved out of confidence.*

## 19.4 2020 Volunteer Awards and Mayor's Choice Award

**Recommendation (Public)****Moved:** Cr Bishop**Seconded:** Cr Furlan**CNC369/19-20**Pursuant to s90(3)(a)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Chief Executive Officer, Kiki Cristol, Group Manager Customer Experience Danielle Garvey Manager Community Engagement & Development, Fiona Deckert, Communications Officer, Sarah Spencer and Council Secretariat, Vanessa Davidson be excluded from attendance at the meeting for Agenda Item 2020 Volunteer Awards and Mayor's Choice Award.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being because it provides personal information of members of the community.

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 the information relates to the personal affairs of members of the community.

**CARRIED**

*The time being 10.34pm the meeting moved into confidence.*

**Recommendation (Confidential)****Moved:** Cr Bishop**Seconded:** Cr Furlan**CNC370/19-20**

1. That Council having considered the nominations received for the 2020 Awards, selects the following recipients:
  - a. *Volunteer of the year Award: Jane Brister*
  - b. *Community event of the year: Walkerville Uniting Church 'Connect and Thrive with Age'*
  - c. *Mayor's choice: Mr David Williams*
2. That Council note that due to the current situation with the COVID-19 pandemic, the 2020 annual Volunteer luncheon, which was scheduled to be held on Wednesday 20 May 2020 will not proceed.
3. That the winners of the Award in each category will be sent a certificate of appreciation with the advice that a formal Award will be given to the recipients at a later date from Mayor Elizabeth Fricker.

**CARRIED****Recommendation (Public)****Moved:** Cr Ashby**Seconded:** Cr Bishop**CNC371/19-20**Pursuant to s.91(7)

That having considered Agenda Item 2020 Volunteer Awards and Mayor's Choice Award in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the report, attachments and minutes relevant to this Item be retained in confidence until the recipients have been notified and / or received their Awards and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the review and power to revoke this Order and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

**CARRIED**

*The time being 10.36 pm the meeting moved out of confidence.*

## 19.5 CEO Performance Review - Appointment of Consultant

**Recommendation Public****Moved:** Cr Bishop**Seconded:** Cr Ashby**CNC372/19-20**Pursuant to s90(3)(d)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Council Secretariat, Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 5.1 CEO Performance Review - Appointment of Consultant.

The Council is satisfied that pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is 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 as it contains pricing information relating to a tender process for professional services.

In addition, the Council has further considered that the information would on balance be contrary to the public interest because the disclosure of this information may result in a competitor receiving the information to the detriment of

the proposed provider.

**CARRIED**

*The time being 10.37pm the meeting moved into confidence.*

**Recommendation (Confidential)**

**Moved:** Cr Joshi

**Seconded:** Cr Williams

**CNC373/19-20**

The CEO Performance Review Committee recommends to Council that:

1. The current Request for Quote process to appoint an independent consultant to assist the CEO's Performance Review Committee be abandoned and a new Request for Quote process be undertaken commencing in November 2020.
2. Richard Altman Consulting be appointed to assist the Chief Executive Officer's Performance Review Committee to undertake an annual performance review of the Chief Executive Officer for 2019/ 2020.
3. Administration write to Richard Altman and Rebecca Hunt and inform them that in accordance with clause 5.4 of the RFQ process the existing process to appoint an independent consultant to assist the CEO's Performance Review Committee will be abandoned.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

**CNC374/19-20**

Pursuant to s.91(7)

That having considered Agenda Item 5.1 CEO Performance Review – Appointment of Consultant in confidence under section 90(2), 90(3)(d) of the *Local Government Act 1999*, the CEO Performance Review Committee, pursuant to section 91(7) of that Act, recommends to Council that the Report and Minutes be released once the matter the matter has been finalised.  
and

That Council resolves to end its confidential deliberations pursuant to Section 90(2) of the *Local Government Act 1999* Council and re-admit the public.

**CARRIED**

*The time being 10.41pm the meeting moved out of confidence*

**20. CLOSURE**

*The meeting was declared closed at 10.41 pm*