



**MINUTES**  
of  
**COUNCIL MEETING**  
held via

via electronic means through live streaming at  
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxK15LFT9w>

as afforded for through the Electronic Participation in Council Meetings Notice 2020, SA Government Gazette, 31 March 2020 and resolved by Council.

on

**MONDAY 16 NOVEMBER 2020 AT 7PM**

**MINUTES**  
16 November 2020

*The Meeting was declared open at 7.00pm*

**1. ATTENDANCE RECORD**

1.1 Present

Mayor Elizabeth Fricker  
Cr MaryLou Bishop  
Cr Norm Coleman OAM  
Cr Stephen Furlan  
Cr Jennifer Joshi  
Cr James Nenke  
Cr Conrad Wilkins  
Cr James Williams  
Cr Rob Ashby AM

Staff in Attendance

Chief Executive Officer, Kiki Critsol  
Group Manager Assets & Infrastructure, Ben Clark  
Group Manager Customer Experience, Danielle Garvey  
Group Manager Corporate Services, Monique Palmer  
Manager Community Development and Engagement, Fiona Deckert  
Communications Officer, Sarah Spencer  
Business Analyst (Property & Contracts), Scott Reardon  
Council Secretariat, Vanessa Davidson

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

Nil.

**2. CONFIRMATION OF MINUTES**

2.1 Minutes of Ordinary Council Meeting

**Moved:** Cr Coleman

**Seconded:** Cr Joshi

**CNC179/20-21**

That the minutes of the Ordinary Council meeting held on 19 October 2020 be confirmed as a true and accurate record of the proceedings.

**CARRIED**

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

- 3.1 Cr James Williams declared a perceived conflict of interest in item 16.3.4 Revocation of Community Land Classification Feedback Update as he lives next door to 39 Smith Street, Walkerville. Cr Williams advised that he would stay in the room, participate in the debate and vote on the matter.
- 3.2 Cr Stephen Furlan declared a perceived conflict of interest in 16.3.4 Revocation of Community Land Classification Feedback Update as he has family members with an interest in the nearby shopping centre. Cr Furlan advised that he would stay in the room, participate in the debate and vote on the matter.

### 4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

Nil.

### 5. MAYORS DIARY

- 5.1 Mayors Diary

**Moved:** Cr Joshi

**Seconded:** Cr Williams

**CNC180/20-21**

That Council receives and notes the Mayoral Diary from 16 October 2020 to 12 November 2020.

**CARRIED**

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

- 6.1 Local Government Association Annual General Meeting

Mayor Fricker attended the LGA Annual General Meeting at Woodville Town Hall on 26 October 2020 and provided an overview of proceedings.

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

Nil.

### 8. QUESTIONS FROM THE GALLERY

Nil.

### 9. QUESTIONS WITHOUT NOTICE

Nil.

### 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

Nil.

14.2 Policy

## 14.2.1 Liquor Licence Management Policy Review

**Moved:** Cr Wilkins

**Seconded:** Cr Bishop

**CNC181/20-21**

1. That Council receives and notes the Liquor Licence Management Policy Review report.
2. That Council release the Liquor Licence Management Policy, appearing as Attachment A to this report, for public consultation.

**CARRIED**

## 14.2.2 Outdoor Dining Policy Review

**Moved:** Cr Williams

**Seconded:** Cr Bishop

**CNC182/20-21**

1. That Council receives and notes the Outdoor Dining Policy Review report.
2. That on the basis that this policy has received no substantive changes, Council endorse and adopt the Outdoor Dining Policy, appearing as Attachment A to this report.
3. That Administration develop an Addendum to the Outdoor Dining Policy in relation to promoting and facilitating outdoor dining.
4. That Administration be authorised to make changes of a minor technical or formatting nature to the Outdoor Dining Policy.

**CARRIED**

### 14.3 Operational

#### 14.3.1 Audited Financial Statements 2019-2020

**Moved:** Cr Wilkins  
**Seconded:** Cr Ashby

##### **CNC183/20-21**

1. That the Audited Financial Statements for the financial year ended 30 June 2020, presented as Attachment A to this report be adopted by Council for inclusion in the 2019/2020 Annual Report.
2. That the Adjusted Income Statement for the financial year ended 30 June 2020, presented as Attachment B to this report be adopted by Council for inclusion in the 2019/2020 Annual Report.

**CARRIED**

#### 14.3.2 2019/20 Annual Report

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

##### **CNC184/20-21**

1. That Council adopt the 2019/20 Annual Report as presented in Attachment A.
2. That upon adopting the Audited Financial Statements for the financial year ending 30 June 2020, these statements be inserted into the 2019/20 Annual Report.
3. That Council authorise Administration to make minor amendments of a formatting or technical nature to the 2019/20 Annual Report as required.

**CARRIED**

#### 14.3.3 Local Government Finance Authority Support Package

**Moved:** Cr Ashby  
**Seconded:** Cr Joshi

##### **CNC185/20-21**

1. That Council resolves to enter into a variation agreement by the Local Government Finance Authority, to convert a portion of the \$9.5m, that being \$1m, of the existing cash advance facility debenture CAD75 (issued by the Council under section 135 of the *Local Government Act 1999*) to a discounted cash advanced facility of 0.75% less than the amount contemplated in the debenture, with a commencement date of 15 December 2020, on the terms and conditions set out in the Variation Agreement appearing as Attachment B to the report '*Local Government Finance Authority Support Package*'.

2. That Council pursuant to section 38(2) *Local Government Act 1999* authorises the Mayor and Chief Executive Officer to sign and affix the common seal of Council in order to execute the CAD Variation Agreement.
3. That Council acknowledges that the total debt ceiling approved during the 2020/21 Annual Business Plan will remain unchanged.

**CARRIED**

14.3.4 Appointment of Deputy Mayor

**Moved:** Cr Wilkins  
**Seconded:** Cr Nenke

**CNC186/20-21**

That Council resolves to continue to have the position of Deputy Mayor carried out on a rotational basis and appoints Cr Ashby as Deputy Mayor from 9.01am Tuesday 17 November 2020 until 9am Tuesday 16 November 2021.

**CARRIED**

14.3.5 Australia Day Citizenship Ceremony

**Moved:** Cr Williams  
**Seconded:** Cr Bishop

**CNC187/20-21**

That Council holds a Citizenship Ceremony on 26 January 2021 at Mary P Harris Reserve recognising that at 12 November 2020, only 15 conferees have registered for citizenship.

**CARRIED**

14.3.6 Benchmarking & Performance Reporting (resubmitted)

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

**CNC188/20-21**

1. That Council notes that the State Government is proposing to include benchmarking as part of the Local Government (Statutes Amendment) Review Bill 2020.
2. That Council consider service level reviews as part of the 2021/ 2022 budget process and seeks a report from Administration outlining the scope of the service level reviews.

*The motion being put, the vote was tied.*

*Mayor Fricker exercised her casting vote, voting in the affirmative.*

**CARRIED**

14.3.7 Phase Three Planning and Design Code – Re-consultation

**Moved:** Cr Nenke

**Seconded:** Cr Furlan

**CNC189/20-21**

1. That Council authorises the Chief Executive Officer to finalise and lodge a submission on the revised Planning and Design Code to the State Commission Assessment Panel and the Minister for Local Government and Planning before the 18 December 2020.
2. That Administration distribute the submission to the elected body, 48 hours prior to lodgement, to enable Elected Members the opportunity to provide additional feedback.

**CARRIED**

14.3.8 Delegations Update November 2020

**Moved:** Cr Bishop

**Seconded:** Cr Ashby

**CNC190/20-21**

1. That Council hereby revokes all previous delegations made to the person occupying the position of Chief Executive Officer under Instrument A, Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016*.
2. In exercise of the power contained in section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 16 November 2020 and entitled Delegations Update November 2020 and marked Appendix A) are hereby delegated this 16<sup>th</sup> day of November 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

**CARRIED**

14.3.9 Authorisations and Sub-delegations under the *Road Traffic Act 1961***Moved:** Cr Williams**Seconded:** Cr Furlan**CNC191/20-21**

1. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument'), the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:
  - Kiki Cristol
  - Benjamin Clark
  
2. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
  - Peter Flood (WGA)
  - Heath Blacker (WGA)
  - Jason Zafry (WGA)
  - Justine Henderson (WGA)
  - Noel Symons (Greenhill)
  - Kai Zheng (Greenhill)
  - Peter Tan (Greenhill)
  - Peta Chehade (Greenhill)
  - Adrian Cadzow (Greenhill)
  
3. In accordance with Clause E2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management plans:
  - Peter Flood (WGA)
  - Heath Blacker (WGA)
  - Jason Zafry (WGA)
  - Justine Henderson (WGA)
  - Noel Symons (Greenhill)
  - Kai Zheng (Greenhill)
  - Peter Tan (Greenhill)
  - Peta Chehade (Greenhill)
  - Adrian Cadzow (Greenhill)
  
4. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the *Road Traffic Act 1961* and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub-delegation (annexed to the Report dated 16 November 2020 and entitled Authorisations and Sub-delegations under the *Road Traffic Act 1961*) and marked Appendix A is



hereby sub-delegated this 16<sup>th</sup> day of November 2020 to the person occupying the office of Chief Executive Officer of the Council subject to:

- (i) the conditions contained within the Instrument; and
- (ii) any conditions contained in this Resolution or in the Instrument of Sub-Delegation; and
- (iii) the creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

**CARRIED**

#### 14.3.10. Community Fund Applications

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

##### **CNC192/20-21**

1. That Council allocates the following funds to the Community Fund applicants from the 2020/2021 Community Fund budget:
  - a. Walkerville Rotary Club –\$1,600
2. That Council agree to waive the hire fees of \$244 for use of the Town Hall and after hours security for the Adelaide Male Voice Choir in order for them to perform a Gilbert & Sullivan event on Friday 5 March 2021.
3. That Administration writes to the applicants for the Community Fund and advises them of the Council resolution.
4. That the successful applicants be advised and invited to attend the Ordinary Meeting of Council to be held on 21 December 2020 to formally receive the funds from Her Worship Mayor Fricker at the beginning of the Council Meeting if permitted by COVID restrictions.

**CARRIED**

#### 14.4 Subsidiaries

##### 14.4.1 ERA Water – Appointment of Board and Deputy Board Members

**Moved:** Cr Joshi

**Seconded:** Cr Coleman

##### **CNC193/20-21**

1. That Council appoints Cr Bishop as the Board Member, pursuant to Clause 3.4 of the ERA Water Regional Subsidiary Charter 2015, effective from 2 January 2021 and expiring on 30 November 2022.

2. That Council appoints Ms Kiki Cristol as the Deputy Board Member, pursuant to Clause 3.5 of the ERA Water Regional Subsidiary Charter 2015, effective from 2 January 2021 and expiring on 30 November 2022.

**CARRIED**

## 15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

**Moved: Cr Bishop**  
**Seconded: Cr Joshi**

That items 16.3.2, 16.3.4 and 16.3.5 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 Monthly Financial Report

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

#### **CNC194/20-21**

That Council receives and notes the Monthly Financial Report as at 31 October 2020

**CARRIED**

#### 16.3.2 Works Report for October 2020

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

#### **CNC195/20-21**

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

**CARRIED**

## 16.3.3 Walkerville Oval redevelopment public consultation feedback

**Moved:** Cr Williams  
**Seconded:** Cr Ashby

**CNC196/20-21**

That Council receives and notes the Walkerville Oval redevelopment public consultation feedback.

**CARRIED**

## 16.3.4 Revocation of Community Land Classification Consultation Feedback Update

**Moved:** Cr Bishop  
**Seconded:** Cr Joshi

**CNC197/20-21**

That Council Receives and notes the Revocation of Community Land Classification Consultation Feedback Update.

**CARRIED**

## 16.3.5 Audit Committee Minutes 26 October 2020

**Moved:** Cr Bishop  
**Seconded:** Cr Joshi

**CNC198/20-21**

That Council receives and notes the minutes of the Audit Committee meeting convened on 26 October 2020

**CARRIED**16.4 Subsidiaries

Nil.

16.5 Outstanding Council resolutions

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

**CNC199/20-21**

That Council receives and notes the list of Council resolutions currently being processed as at 12 November 2020.

**CARRIED**

## 17 CORRESPONDENCE

**Moved:** Cr Wilkins  
**Seconded:** Cr Joshi

### CNC200/20-21

That the correspondence as listed below be received and noted.

17.1 Correspondence to Mayor Fricker from Michael Lennon, Chair State Planning Commission.

17.2 Correspondence to Mayor Fricker from the Hon Vickie Chapman MP.

**CARRIED**

## 18 URGENT OTHER BUSINESS

18.1 North East Junior Cricket Association held an Earthing Ceremony on Sunday 15 November 2020.

## 19 CONFIDENTIAL ITEMS

19.1 Review of services provided by EHA to Town of Walkerville

### **Recommendation (Public)**

**Moved:** Cr Joshi  
**Seconded:** Bishop

### CNC201/20-21

#### 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 Chief Executive Officer Kiki Cristol, Group Manager Asset & Infrastructure Ben Clark, Group Manager Corporate Services Monique Palmer, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Council Secretariat Vanessa Davidson and Michael Richardson BRM Advisory be excluded from attendance at the meeting for Agenda Item 19.1 Review of Services provided by EHA to Town of Walkerville.

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 could reasonably be expected to confer a commercial advantage on a person with whom the Council is: conducting business; proposing to conduct business; would prejudice the commercial position of the Council

In addition, Council has considered that the information would on balance be contrary to the public interest because the disclosure of Council's commercial position may severely prejudice Council's ability to negotiate a cost effective proposal for the benefit of the Council and the community in this matter.

**CARRIED**

*The time being 9.06pm the meeting moved into confidence.*

*The time being 9.06pm Cr Ashby left the meeting.*

*The time being 9.09pm Cr Ashby returned to the meeting.*

**Moved:** Cr Williams  
**Seconded:** Cr Bishop

**CNC202/20-21**

That Standing Orders be suspended for a period for fifteen minutes in order for Council to have a full and frank discussion as to the content of the report.

**CARRIED**

*The Mayor declared Standing Orders resumed at 9.26pm.*

**Moved:** Cr Williams  
**Seconded:** Cr Bishop

**CNC203/20-21**

That Standing Orders be suspended for a further 15 minutes in order for the discussion to be finalised.

**CARRIED**

*The Mayor declared Standing Orders resumed at 9.40pm.*

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

**CNC204/20-21**

That Standing Orders be suspended for a further 5 minutes in order for the discussion to be finalised.

**CARRIED**

*The Mayor declared Standing Orders resumed at 9.46pm.*

**Recommendation (Confidential)****Moved:** Cr Wilkins**Seconded:** Cr Furlan**CNC205/20-21**

1. That Council receives and notes the content of the Review of Services provided by EHA to Town of Walkerville report as prepared by BRM Advisory and appearing as Attachment A.
2. That Council instructs Administration to:
  - seek legal advice in relation to the financial arrangements and legal obligations that accompany a withdrawal from EHA;
  - pursue alternate shared service arrangements with non-EHA Councils;
  - prepare a report for Council's further consideration (no later than 30 May 2021) that compares an in-house service delivery model to an outsourced and / or shared service delivery model for the future delivery of the service.
3. That the CEO and Mayor meet with the CEO and the Chair of EHA with the support of a mediator, or facilitator if required, to discuss areas of concern and seek resolution of same. Noting that the current Board Members will be apologies until further notice.
4. That Council instruct Administration to provide notice in writing to EHA and the CEOs of the EHA Constituent Councils of Councils intentions.

**CARRIED****Recommendation (Public)****Moved:** Cr Williams**Seconded:** Cr Furlan**CNC206/20-21**Pursuant to s.91 (7)

That having considered Agenda Item 19.1 Review of Services Provided by EHA to Town of Walkerville 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, attachments and minutes relevant to this Agenda Item be retained in confidence until the matter has been finalised, excepting that the 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 power to review and revoke this Order

and

That the 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 9.52pm the meeting moved out of confidence.*

## 19.2 Walkerville Citizen of the Year Awards

### **Recommendation (Public)**

**Moved:** Cr Furlan

**Seconded:** Cr Williams

### **CNC207/20-21**

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 Council's Chief Executive Officer Kiki Cristol, Group Manager Corporate Services, Monique Palmer, Group Manager Customer Experience, Danielle Garvey, Group Manager Assets and Infrastructure, Ben Clark, Manager Community Development & Engagement Fiona Deckert & Council Secretariat Vanessa Davidson be excluded from attendance at the meeting for Agenda Item 19.2 titled 'Walkerville Citizen of the Year Awards'.

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 as it relates to nominations received for the Walkerville Citizen of the Year Awards.

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 disclosure of details may prematurely be disclosed before the details have been discussed with the Award recipients

**CARRIED**

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

### **Recommendation (Confidential)**

**Moved:** Cr Wilkins

**Seconded:** Cr Williams

### **CNC208/20-21**

1. That Council receive and note the report.
2. That Council having considered the one (1) verbal nomination received from Mayor Elizabeth Fricker, award the Walkerville Citizen of the Year to Mr Peter Golding.
3. That Council further requests that Administration forward the name of the successful candidate in the Citizen of the Year category to the Australia Day Council for consideration to the State Awards.

**CARRIED**

**Recommendation (Public)****Moved:** Cr Ashby**Seconded:** Cr Furlan**CNC209/20-21**Pursuant to s.91(7)

That having considered Agenda Item 19.2 titled 'Walkerville Citizen of the Year Awards' 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, attachment and minutes relevant to this Agenda Item be retained in confidence until a public announcement has been made, excepting that Council authorises the release of the minutes to substantive 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* Council and re-admit the public.

**CARRIED**

*The time being 9.56pm the meeting moved out of confidence*

## 19.3 Appointment of Independent Audit Committee Members

**Recommendation (Public)****Moved:** Cr Furlan**Seconded:** Cr Ashby**CNC210/20-21**

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 Asset & Infrastructure Ben Clark, , Group Manager Corporate Services Monique Palmer, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 'Appointment of Independent Audit Committee Members'.

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 the applicants.

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 disclosure of details may prematurely be disclosed before the details have been discussed with the applicants.



**CARRIED**

*The time being 9.58pm the meeting moved in to confidence.*

**Recommendation (Confidential)**

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

**CNC211/20-21**

Council resolves to appoint Mr Ross Haslam and Mr Colin Scarlett as Independent Members to the Audit Committee for a term to commence from 1 December 2020 until 1 December 2023 (inclusive).

**CARRIED**

**Recommendation (Public)**

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

**CNC212/20-21**

Pursuant to s.91(7)

That having considered Agenda Item 19.3 'Appointment of Independent Audit Committee Members' 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 'Appointment of Independent Audit Committee Members' report and Attachment B relevant to this Agenda Item, be retained in confidence until 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* Council and re-admit the public.

**CARRIED**

*The time being 9.59pm the meeting moved out of confidence.*

19.4 Bancroft Custodian Pty Ltd (Watson Car Park) Discretionary Rebate Request

**Recommendation (Public)**

**Moved:** Cr Bishop  
**Seconded:** Cr Joshi

**CNC213/20-21**

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 Asset & Infrastructure Ben Clark, Group Manager Corporate Services Monique Palmer, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert and Council Secretariat Vanessa Davidson, be excluded from attendance at the meeting for Agenda Item 19.4 Bancroft Custodian Pty Ltd (Watson Car Park) Discretionary Rate Rebate Request.

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 Mr Philip Bancroft.

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 disclosure of details may prematurely be disclosed before the details have been discussed with Mr Philip Bancroft.

**CARRIED**

*The time being 10.01pm the meeting moved into confidence.*

**Recommendation (Confidential)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

**CNC214/20-21**

That the Council accepts Bancroft Custodian Pty Ltd's request for a discretionary rebate for the financial year ending 30 June 2021 for an amount of \$1,215.00

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Furlan

**Seconded:** Cr Ashby

**CNC215/20-21**

Pursuant to s.91(7)

That having considered Agenda Item 19.4 Bancroft Custodian Pty Ltd (Watson Car Park) in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that the report, minutes 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 10.01pm the meeting moved out of confidence.*

## **20. CLOSURE**

*The time being 10.02pm the meeting was declared closed*

