



MINUTES

of

COUNCIL MEETING

held via

electronic means through live streaming at
<https://www.youtube.com/channel/UCZxKI13S3M8n8zxKI5LFT9w>

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

on

MONDAY 18 OCTOBER 2021 AT 7PM

**MINUTES
18 OCTOBER 2021**

The presiding member declared the meeting open at 7:00pm.

ACKNOWLEDGEMENT OF COUNTRY

Town of Walkerville would like to acknowledge the Kaurna people as the traditional custodians of the land we are meeting on today, and respect their spiritual relationship with their country.

We recognise the many generations of stewardship the Kaurna people have provided to this land, and respect that their cultural heritage and beliefs are as important today as they were for their ancestors.

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

Staff in Attendance

Chief Executive Officer, Kiki Cristol
Group Manager Assets & Infrastructure, Ben Clark
Group Manager Corporate Services & Strategic Projects, Scott Reardon
Group Manager Planning, Environment & Regulatory Services, Joshua Bowen
Manager Community Development & Engagement, Fiona Deckert
Communications & Marketing Manager, Sarah Spencer
Council Secretariat, Danielle Edwards

1.2 Apologies

Nil.

1.3 Not Present / Leave of Absence

1.3.1 Cr Rob Ashby AM - Leave of absence for the period 4 October to 26 October 2021 (inclusive) was approved on 20 September 2021 (CNC59/21-22).

1.3.2 Leave of Absence Request

Nil.

2. CONFIRMATION OF MINUTES

2.1 Ordinary Council meeting held on the 20 September 2021

CNC88/21-22

Moved: Cr Joshi

Seconded: Cr Furlan

That the minutes of the Ordinary Council meeting held on the 20 September 2021 be confirmed as a true and accurate record of the proceedings.

CARRIED

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

- Cr Wilkins declared a perceived interest in agenda item 14.3.3 'Suburban Boundary Realignment/Renaming Consultation Report' as he owns property in the area of consideration and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Cr Williams declared a perceived interest in agenda item 14.3.3 'Suburban Boundary Realignment/Renaming Consultation Report' as he owns property in the area of consideration and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Cr Williams declared a perceived interest in agenda item 19.1 'Strategic Property (Smith & Fuller) Expressions of Interest Tender' as he owns a neighbouring property and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Cr Furlan declared a perceived interest in agenda item 19.1 'Strategic Property (Smith & Fuller) Expressions of Interest Tender' as he has family members who have an interest in a neighbouring commercial property and advised that he would remain in the Chamber during the discussion of the item, participate in the debate and vote on the agenda item.
- Chief Executive Officer, Kiki Cristol, declared an interest in agenda item 16.3.7 'CEO Performance Review Committee Minutes 24 September 2021', pursuant to Section 120 of the *Local Government Act 1999*, also acknowledging that as the Chief Executive Officer she did not attend the meeting held on 24 September 2021. Ms Cristol advised that she would remain in the room as she is not a decision maker or Member.

4. DEPUTATIONS / REPRESENTATIONS / PRESENTATIONS

- 4.1 David & Stephanie Murdock – Residential Parking Restrictions – Arthur Street and The Avenue, Medindie

CNC89/21-22

Moved: Cr Bishop

Seconded: Cr Furlan

That Council receive and note the deputation from David and Stephanie Murdock regarding Residential Parking Restrictions – Arthur Street and The Avenue, Medindie.

CARRIED

CNC90/21-22

Moved: Cr Wilkins

Seconded: Cr Coleman

That item 11.1 be brought forward as the next item of business.

CARRIED

11. PETITIONS

- 11.1 Petition – Residential Parking Restrictions – Arthur Street and The Avenue, Medindie

CNC91/21-22

Moved: Cr Williams

Seconded: Cr Joshi

That Council:

1. receives and notes the petition appearing at Attachment A as received from Lead Petitioners David and Stephanie Murdock, in relation to Residential Parking Restrictions – Arthur Street and The Avenue, Medindie; and
2. in response to the feedback received from the affected residents, temporarily revokes the 3 hour parking restrictions to Arthur Street and The Avenue, Medindie, covers all 3 hour restricted signage in the street until 30 June 2022 and conduct a survey with the residents on Arthur St and The Avenue in the month of June 2022; and
3. instructs Administration to reimburse residents on Arthur Street and The Avenue, Medindie who have paid for and received Transferable or Residential Parking Permits since 1 May 2021 and delegates to the Chief Executive Officer the authority to reimburse those residents on Arthur St and The Avenue, Medindie who may have purchased Transferable or Residential Parking Permits prior to 1 May 2021; and
4. that this order will come into effect at 9am on Tuesday 19 October 2021, noting that covering of the signs may take a period of time.

CARRIED

5. MAYORS DIARY

5.1 Mayors Diary

CNC92/21-22

Moved: Cr Bishop

Seconded: Cr Joshi

That Council receives and notes the Mayoral Diary from 16 September 2021 – 14 October 2021.

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 ERA Water Special Board Meeting 23 September 2021 – Cr Bishop provided a verbal update.

8. QUESTIONS FROM THE GALLERY

Nil.

9. QUESTIONS WITHOUT NOTICE

Nil.

10. QUESTIONS ON NOTICE

Nil.

12. MOTIONS WITHOUT NOTICE

Nil.

13. MOTIONS WITH NOTICE

Nil.

14. REPORTS REQUIRING DECISION OF COUNCIL

14.1 Strategy

Nil.

14.2 Policy

Nil.

14.3 Operational

14.3.1 2020/21 Annual Report

CNC93/21-22

Moved: Cr Williams

Seconded: Cr Joshi

1. That Council adopt the 2020/21 Annual Report, as presented in Attachment A.
2. That Council authorise Administration to insert the Audited Financial Statements for the financial year ending 30 June 2021 into the Annual Report, once adopted by Council at the November Meeting.
3. That Council authorise Administration to make minor amendments of a formatting or technical nature to the 2020/21 Annual Report as required.

CARRIED

14.3.2 Budget Review One 2021-22

CNC94/21-22

Moved: Cr Williams

Seconded: Cr Furlan

That Council adopts Budget Review One for the 2021-22 financial year and the variances contained within it as the amended and current budget for the period ending 30 June 2022.

CARRIED

14.3.3 Suburban Boundary Realignment/Renaming Consultation Report

CNC95/21-22

Moved: Cr Bishop

Seconded: Cr Coleman

1. That Council instruct Administration to write to the Surveyor-General to seek his preliminary feedback on the findings of Council's recent public consultation on the potential realignment or renaming of Vale Park, with the view of proceeding to the next stage of the process, if so determined by the Surveyor-General; and
2. That the results presented to the Surveyor-General will be as recommended by Action Market Research, being the removal of obvious duplicates and using weighted outcomes.

CARRIED

Councillor Nenke called a division and the Presiding Member declared that the vote be set aside.

*The following Councillors voted in **FAVOUR** of motion:*

Cr. Bishop, Cr. Coleman, Cr. Furlan, Cr. Wilkins, Cr. Joshi

*The following Councillors voted **AGAINST** the motion:*

Cr. Nenke, Cr. Williams

*The motion was **CARRIED**.*

14.3.4 Community Engagement Charter

CNC96/21-22

Moved: Cr Wilkins

Seconded: Cr Furlan

That Council instructs Administration to write to the LGA in support of the proposed Community Engagement Charter (appearing as Attachment A) and Model Community Engagement Policy (appearing as Attachment B).

CARRIED

14.3.5 Green Adelaide National Park City

CNC97/21-22

Moved: Cr Furlan

Seconded: Cr Wilkins

That Council confirms its support for Green Adelaide's application for Greater Adelaide to be recognised as a National Park City based on the information provided in the Adelaide National Park City Charter (Attachment A).

CARRIED

14.3.6 Revised Cemetery & Memorial Policy and New Cemetery Management Agreement

CNC98/21-22

Moved: Cr Williams

Seconded: Cr Nenke

1. That Council note the following recommendations as made by the Wesleyan Cemetery Advisory Committee on 9 September 2021:
 - *That Council endorse a 50 year lease term only;*
 - *That Council consider increasing the projected revenue for a 50 year lease and this be assessed annually based on the Annual Fees and Charges review process;*
 - *That Council direct administration to undertake masterplanning of the site for the purposes of asset management, capital expenditure programs and cost benefit analysis for consistency and longevity of the cemetery;*
 - *That Council identify possible future significant capital expenditure for items within the cemetery;*
 - *That any/all income generated from the sale of burials be redirected back into the cemetery in the first instance and excess funds be redirected into Open Space programs and/or projects.*
2. That Council receive and note the revised Cemetery & Memorial Policy, appearing as Attachment A to this report and endorses it for public consultation for a period of 21 days;
3. That Council authorises Administration to make any necessary minor amendments to the Cemetery & Memorials Policy of a technical or formatting nature prior to releasing the policy for public consultation;
4. That Council enter into a new Management Agreement (based on the same existing terms, conditions and fees currently in operation) with Adelaide Cemetery's Authority (ACA) over the whole of the land contained within Limited Certificate of Title **5874/2876** for a Term of three (3) years commencing 1 July 2021 for the purpose of ACA continuing the operational management of the Wesleyan Cemetery;

5. That the Chief Executive Officer be authorised to execute the new Management Agreement and any other associated operational documents;
6. That following the execution of the new Management Agreement, Administration and the Adelaide Cemeteries Authority commence the mandatory public notification process as prescribed by s.38 of the *Burial and Cremations Act 2013* as it pertains to the expiration of leases and re-use of an interment site;
7. That Council authorise Administration working with Adelaide Cemeteries Authority to develop and finalise any/all new applicable fees and charges that are associated with reinstating the burial of human remains within the Cemetery in preparation for their enactment in the 2022/2023 financial year;
8. That in accordance with the Wesleyan Cemetery Advisory Committee's endorsements as outlined in Recommendation 1 of this report, following the completion of Recommendation 2 Administration prepare a subsequent consultation feedback report, masterplan and business case as it pertains to the future operations of the Wesleyan Cemetery for the Committee's and Council's consideration.

CARRIED

The time being 8:41pm Cr. Wilkins left the meeting.

14.3.7 Future Living Code Amendment – Co-housing Project Policy

CNC99/21-22

Moved: Cr Furlan

Seconded: Cr Williams

1. That Council receive and note the report titled 'Future Living Code Amendment – Co-housing project Policy' along with Attachments A and B.
2. That Council write to the State Planning Commission confirming their support for the Proposal to Initiate a Code Amendment - Future Living Code Amendment as contained in Attachment B, further confirming their agreement to be included within the affected area for the Code Amendment.
3. That Council request that Administration continue to engage with the Co-housing working group to assemble an appropriate engagement strategy to be costed and presented to Council for endorsement before formal public consultation commences.

CARRIED

The time being 8:44pm Cr. Wilkins re-entered the meeting.

14.4 Subsidiaries

Nil.

15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION

CNC100/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That items 16.3.1, 16.3.3, 16.3.4, 16.3.5, 16.3.6, 16.3.7, 16.4.1, 16.4.2, 16.4.3 and 16.5 be moved as per their recommendations.

CARRIED

16 REPORTS REQUIRING DISCUSSION AND / OR PRESENTED FOR INFORMATION

16.1 Strategy

16.1.1 Update Local Heritage in Transition DPA

CNC101/21-22

Moved: Cr Bishop

Seconded: Cr Furlan

That Council receives and notes the report titled 'Update Local Heritage in Transition DPA, along with associated Attachment A and B.

CARRIED

16.2 Policy

Nil.

16.3 Operational

16.3.1 Monthly Works Report - September 2021

CNC102/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the Works Report for September 2021.

CARRIED

16.3.2 Monthly Financial Report – September 2021

CNC103/21-22

Moved: Cr Furlan

Seconded: Cr Bishop

That Council receives and notes the Monthly Financial Report as at 30 September 2021.

CARRIED

16.3.3 Decisions of Council Assessment Panel - 13 September 2021

CNC104/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council notes that the Council Assessment Panel did not meet on Monday 18 October 2021 as no items were raised for consideration by Council Administration, hence no decisions were made by the Council Assessment Panel.

CARRIED

16.3.4 Community Services Quarterly Report – July to September 2021

CNC105/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the Community Services Quarterly Report for the period July to September 2021.

CARRIED

16.3.5 Walkerville Oval Redevelopment Committee Meeting Minutes September 2021.

CNC106/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the minutes of the Walkerville Oval Redevelopment Committee from their meetings held 9 September 2021 and 23 September 2021.

CARRIED

16.3.6 Women of Walkerville Committee Minutes 23 September 2021

CNC107/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the minutes of the Women of Walkerville Committee meeting held on 23 September 2021.

CARRIED

16.3.7 CEO Performance Review Committee Minutes 24 September 2021

CNC108/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the minutes of the meeting of the CEO Performance Review Committee convened on 24 September 2021.

CARRIED

16.3.8 Strategic Planning and Development Policy Committee Minutes 16 September 2021

CNC109/21-22

Moved: Cr Williams

Seconded: Cr Bishop

That Council receives and notes the minutes of the Strategic Planning and Development Policy Committee meeting held on 16 September 2021.

CARRIED

16.4 Subsidiaries

16.4.1 ERA Water Board Minutes 23 September 2021

CNC110/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the ERA Water Board Minutes for the meeting convened on 23 September 2021.

CARRIED

16.4.2 Highbury Landfill Authority Committee Minutes 23 September 2021

CNC111/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the Highbury Landfill Authority Committee Minutes for the meeting convened on 23 September 2021.

CARRIED

16.4.3 East Waste Board Minutes 30 September 2021

CNC112/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the East Waste Board Minutes for the meeting convened on 30 September 2021.

CARRIED

16.5 Outstanding Council Resolutions / Action Report

CNC113/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That Council receives and notes the list of Council resolutions currently being processed as at 14 October 2021.

CARRIED

17 CORRESPONDENCE

CNC114/21-22

Moved: Cr Joshi

Seconded: Cr Coleman

That the correspondence as listed below be received and noted.

17.1 Correspondence to Mayor Fricker from Green Adelaide

CARRIED

18 URGENT OTHER BUSINESS

Nil.

19 CONFIDENTIAL ITEMS

19.1 Strategic Property (Smith & Fuller) Expressions of Interest Tender

CNC115/21-22

Moved: Cr Nenke

Seconded: Cr Joshi

Pursuant to s90 (3) (k)

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 Corporate Services & Strategic Projects Scott Reardon, Group Manager Asset & Infrastructure Ben Clark, Group Manager Planning Environment & Regulatory Services Joshua Bowen, Manager Community Development & Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.1 Strategic Property (Smith & Fuller) Expressions of Interest Tender.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the provision of services and the carrying out of works.

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 Agenda Item relates to Expressions of Interest Tenders for the possible redevelopment and leasing of the property located at 39 Smith Street and 42 & 44 Fuller Street Walkerville, 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 as such would on balance be contrary to the public interest.

CARRIED

The time being 9:00pm the meeting moved into confidence.

CNC116/21-22

Moved: Cr Nenke

Seconded: Cr Coleman

Recommendation (Public)

1. Pursuant to the Strategic Property (Smith & Fuller) Evaluation Panel's recommendation to Council on 6 October 2021, that Council resolve to:
 - Discontinue negotiations with the shortlisted Registrants and abandon the current Smith Street & Fuller Street Site Expressions of Interest Tender process as comprised by WALK049228 and COR003.20/21;
 - Retain the Smith Street building and implement a five year repair and maintenance program based on the G-Force Building Condition Audit (dated 18 September 2019) appearing as Attachment D to this report;
 - Engage a professional services provider to undertake preliminary concept designs and master planning of the Smith Street and Fuller Street Site;
 - Seek funding from State Government whilst utilising the funds allocated to building renewals in the Long-Term Financial Plan to undertake cosmetic works to the Smith Street building in addition to the necessary repairs and maintenance program;
 - Engage with various State Government Agencies including but not restricted to the Office of Recreation and Sports to both seek advice on possible sporting use outcomes for the Site and to establish a collaborative approach to develop an appropriate design solution for the site to best accommodate sporting and community activities; and
2. That Council further resolves to disband the Strategic Property (Smith & Fuller) Evaluation Panel on the basis that pursuant to clause 2.2 of their Terms of Reference, the Role of the Evaluation Panel has come to an end.

CARRIED

CNC117/21-22

Moved: Cr Nenke

Seconded: Cr Furlan

Pursuant to s.91(7)

That having considered Agenda Item 19.1 Strategic Property (Smith & Fuller) Expressions of Interest Tender in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that the report and Attachments relative to this Agenda Item be retained in confidence for a period of five (5) years or 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 power to review and 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 9:50pm the meeting moved out of confidence.

19.2 Public Lighting Pre-Action Notice Update

CNC118/21-22

Moved: Cr Wilkins

Seconded: Cr Joshi

Recommendation (Public)

Pursuant to s90(3)(i)

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 Assets & Infrastructure Ben Clark, Group Manager Planning, Environment & Regulatory Services Josh Bowen, Group Manager Corporate Services & Strategic Projects Scott Reardon, Manager Community Development & Engagement Fiona Decker, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards be excluded from attendance at the meeting for Agenda Item 19.2 Public Lighting Pre-Action Notice.

The Council is satisfied that, pursuant to section 90(3)(i) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information that relates to potential litigation as it relates to public lighting that the Council, on advice from the lawyers representing the Local Government Association of SA, believes on reasonable grounds will take place.

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 it could compromise Council's position if action and / or an appeal is commenced.

CARRIED

The time being 9:51pm the meeting moved into confidence

CNC119/21-22

Moved: Cr Wilkins

Seconded: Cr Furlan

Recommendation (Confidential)

1. That Council authorises the Chief Executive Officer to enter into a Dispute Management Agreement (Attachment B) with HWL Ebsworth Lawyers to represent Council's interests in regard to TTEG's pre-action claims, noting Council's preliminary costs are in the order of \$4,000, which may alter depending on the number of Council's that sign up to the joint action.
2. That Council receives and notes the update provided by HWL Ebsworth as seen in Attachment A.

CARRIED

CNC120/21-22

Moved: Cr Wilkins

Seconded: Cr Nenke

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.2 Public Lighting Pre-Action Notice in confidence under section 90(2) and (3)(i) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the minutes, report and attachments 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 9:52pm the meeting moved out of confidence.

19.3 Jones (Watson Car Park) Discretionary Rebate Application 2021/22

CNC121/21-22

Moved: Cr Wilkins

Seconded: Cr Joshi

Recommendation (Public)

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 Corporate Services & Strategic Projects Scott Reardon, Group Manager Asset & Infrastructure Ben Clark, Group Manager Planning Environment & Regulatory Services Joshua Bowen, Manager Community Development & Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.3 'Jones (Watson Car Park) Discretionary Rebate Application 2021/22'.

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 9:53pm the meeting moved into confidence

CNC122/21-22

Moved: Cr Williams

Seconded: Cr Joshi

Recommendation (Confidential)

That Council accepts Mr Shane Jones' request for a discretionary rates rebate of \$1,251.00 for the 2021/2022 financial year.

CARRIED

CNC123/21-22

Moved: Cr Williams

Seconded: Cr Joshi

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 'Jones (Watson Car Park) Discretionary Rebate Application 2021/22' 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, 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 9:53pm the meeting moved out of confidence.

19.4 Walkerville Developments Pty Ltd (Watson Car Park) Discretionary Rebate Application 2021/22

CNC124/21-22

Moved: Cr Joshi

Seconded: Cr Bishop

Recommendation (Public)

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 Corporate Services & Strategic Projects Scott Reardon, Group Manager Asset & Infrastructure Ben Clark, Group Manager Planning Environment & Regulatory Services Joshua Bowen, Manager Community Development & Engagement Fiona Deckert, Communications & Marketing Manager Sarah Spencer and Council Secretariat Danielle Edwards, be excluded from attendance at the meeting for Agenda Item 19.4 'Walkerville Developments Pty Ltd (Watson Car Park) Discretionary Rebate Application 2021/22'.

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 9:54pm the meeting moved into confidence

CNC125/21-22

Moved: Cr Bishop

Seconded: Cr Coleman

Recommendation (Confidential)

That Council accepts Walkerville Developments Pty Ltd request for a discretionary rates rebate of \$13,761.00 for the 2021/2022 financial year.

CARRIED

CNC126/21-22

Moved: Cr Nenke

Seconded: Cr Joshi

Recommendation (Public)

Pursuant to s.91(7)

That having considered Agenda Item 19.4 'Walkerville Developments Pty Ltd (Watson Car Park) Discretionary Rebate Application 2021/22' 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 minutes, report and attachments relevant to this Agenda Item be retained in confidence until the matter is finalised, 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 9:57pm the meeting moved out of confidence.

20. CLOSURE

The Presiding Member declared the meeting closed at 9:57pm.