



**MINUTES**

of

**COUNCIL MEETING**

held via

**MICROSOFT TEAMS**

on

**MONDAY 18 MAY 2020 AT 7:00PM**

## MINUTES 18 May 2020

*The Meeting was declared open at 7.01pm.*

### 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

#### Staff in Attendance

Chief Executive Officer, K Cristol  
Group Manager Assets & Infrastructure, J Bowen  
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  
Financial Advisor, M Richarson

#### 1.2 Apologies

Nil.

#### 1.3 Not Present / Leave of Absence

Nil.

### 2. CONFIRMATION OF MINUTES

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

#### **CNC375/19-20**

That the minutes of the Council meeting held on the 20 April 2020 be confirmed as a true and accurate record of the proceedings, noting that Cr Bishop was physically in attendance.

**CARRIED**

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

- 3.1 Cr James Williams declared a perceived conflict of interest in item 19.3 'Ministerial Submission – Revocation' as he lives next door to 39 Smith St, Walkerville. Cr Williams 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 Bishop

**Seconded:** Cr Ashby

**CNC376/19-20**

The Council receives and notes the Mayoral Diary from 17 April 2020 to 13 May 2020.

**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 East Waste Update written Report - Cr Rob Ashby

**Moved:** Cr Coleman

**Seconded:** Cr Bishop

**CNC377/19-20**

That the East Waste Update Report be received and noted.

**CARRIED**

#### 7.2 Eastern Health Authority Board of Management Report- Cr Jennifer Joshi

**Moved:** Cr Ashby

**Seconded:** Cr Furlan

**CNC378/19-20**

That the Eastern Health Authority Board of Management Report be received and noted.

**CARRIED**

## 8. QUESTIONS FROM THE GALLERY

Nil.

## 9. QUESTIONS WITHOUT NOTICE

### 9.1 Availability of Agendas and Minutes on Council's Website – Cr Ashby

**Could Administration please explain why the Council Agendas and Minutes from 2016 are not available on the website?**

#### Administration Response

When the website platform transitioned from Unity to Squiz we experienced some technical issues, however we are not certain if the missing agenda and minutes from 2016 was a direct result of this transition. Regardless the matter will be looked into and rectified.

### 9.2 Meeting with the Office of Local Government – Cr Ashby

**Will the Mayor or Chief Executive Officer provide Elected Members with information from the meeting held with the Office of Local Government?**

#### Administration Response

Item 19.3 'Ministerial Submission – Revocation' addresses, in part, elements of the teleconference referred to by Cr Ashby. Given that agenda item 19.3 is recommended to be heard in confidence, Administration will duly respond and provide Council with an update when that matter is considered.

### 9.3 Warwick Street Carpark – Cr Williams

**Has any consideration been given to the possibility of placing the Warwick Street car park on the oval side as opposed to the residential side as part of the Walkerville Terrace Activation plan?**

#### Administration Response

At this stage, given that this project has yet to be formally endorsed by Council, there has been no consideration given to the actual design of the Warwick Street upgrade. However, Administration will discuss this option with the consultants, which will form part of the overall project for the draft 2020-21 budget.

### 9.4 Use of Public Space for Businesses in Walkerville during COVID-19 restrictions – Cr Williams

**What can Council do to assist businesses in Walkerville that are restricted to 10 people indoors, by providing space in the public realm where they may be able to trade within the government guidelines?**

### Response from Mayor

Thank you for the question Councillor. As some of you may know I was invited to speak on radio in relation to the potential to close streets to allow cafes and restaurants to trade. I think this is really great idea and one that I think we should get involved in, when the restrictions are eased. I also believe that we should reactivate the Business Liaison Forums and I have spoken to the Chief Executive about this.

### Administration Response

Further adding to the Mayor's response, given the tight social distancing restrictions that currently apply around a maximum of 10 people able to enjoy outdoor dining, which will be relaxed to a maximum of 20 people from 8 June 2020, we will need to ensure that whatever Council considers does not breach the Directives issued by the Lead Agencies. Therefore, Administration will seek further clarity from the relevant authorities to ascertain if space in the public realm can be shared between businesses as suggested by Cr Williams.

## 10. QUESTIONS ON NOTICE

Nil.

## 11. PETITIONS

Nil.

## 12. MOTIONS WITHOUT NOTICE

### 12.1 Use of Public Space for Businesses in Walkerville during COVID-19 restrictions

**Moved:** Cr Williams

**Seconded:** Cr Bishop

#### **CNC379/19-20**

That Administration investigate the possibility of businesses being able to trade in the public realm, that may not necessarily be within their businesses boundaries for on-street trading. This could include, but not be limited to footpaths, parks and road spaces.

**CARRIED**

## 13. MOTIONS WITH NOTICE

Nil.

## 14. REPORTS REQUIRING DECISION OF COUNCIL

### 14.1 Strategy

#### 14.1.1 Draft Public Art Strategy

**Moved:** Cr Williams

**Seconded:** Cr Joshi

#### **CNC380/19-20**

1. That Council resolves to release the draft Public Art Strategy, appearing as Attachment A to this report, for public consultation in accordance with the Community Engagement and Consultation Policy.
2. That a further report be presented to Council, following the conclusion of the public consultation process, outlining community feedback.

**CARRIED**

#### 14.1.2 Walkerville Oval Redevelopment

**Moved:** Cr Williams

**Seconded:** Cr Joshi

#### **CNC381/19-20**

1. That Council endorse the draft concepts for the proposed central facility at the Walkerville Oval Precinct in principle;
2. That Council, in the first instance, undertake a public consultation process with the community group facility stakeholders and a further report be presented to an Informal Gathering of Council, outlining feedback prior to community consultation.
3. That following the informal gathering a report be presented to council for their receipt and consideration prior to releasing the draft concept plans for public consultation to the broader community and that a further report be presented to Council, following the conclusion of this consultation process.

**CARRIED**

#### 14.1.3 2020-2024 Living in the Town of Walkerville: A Strategic Community Plan

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

#### **CNC382/19-20**

That Council adopt the *2020-2024 Living in the Town of Walkerville: a strategic community plan*, appearing as Attachment A.

**CARRIED**

#### 14.1.4 Draft 2020-2024 Living Walkerville: wellbeing for every age and stage

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

##### **CNC383/19-20**

1. That Council resolves to release the DRAFT 2020 – 2024 *Living Walkerville: wellbeing for every age and stage*, appearing as (Attachment A) to this report, for public consultation.
2. That a further report be presented to Council, following the conclusion of the public consultation process outlining community feedback.

**CARRIED**

#### 14.1.5 Briar Avenue Residential Parking Permit Bays

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

##### **CNC384/19-20**

That Council endorses the introduction of residential parking permit bays to provide six (6) permit only parking spaces on Briar Avenue east.

**CARRIED**

### 14.2 Policy

#### 14.2.1 Review of the Code of Practice – Access to Meetings and Documents

**Moved:** Cr Bishop

**Seconded:** Cr Ashby

##### **CNC385/19-20**

1. That Council adopt the revised Code of Practice – Access to Meetings and Documents, appearing as Attachment A to this report, noting that clauses relating to Notice (No 1) of 2020 will be removed 28 days after the cessation of all relevant declarations relating to the emergency to which the notice relates.
2. That Council authorise Administration to make changes of a minor technical or formatting nature to the revised Code of Practice – Access to Meetings and Documents.

**CARRIED**

#### 14.2.2 Review of Rating Policy

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

##### **CNC386/19-20**

1. That Council adopts the revised Rating Policy appearing as Attachment A to this report
2. That Administration be authorised to make minor amendments of a formatting or technical nature to the Rating Policy.

**CARRIED**

#### 14.2.3 Review of the Financial Internal Controls Policy

**Moved:** Cr Furlan

**Seconded:** Cr Ashby

##### **CNC387/19-20**

1. That Council adopts the revised Financial Internal Controls Policy appearing as Attachment A to this report.
2. That Administration be authorised to make minor amendments of a formatting or technical nature to the Financial Internal Controls Policy.

**CARRIED**

#### 14.2.4 Review of the Budget Management Policy

**Moved:** Cr Furlan

**Seconded:** Cr Ashby

##### **CNC388/19-20**

1. That Council adopts the revised Budget Management Policy appearing as Attachment A to this report.
2. That Administration be authorised to make minor amendments of a formatting or technical nature to the Budget Management Policy.

**CARRIED**

#### 14.3 Operational

##### 14.3.1 Budget Review 3

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

##### **CNC389/19-20**

That Council adopts Budget Review 3 for the 2019/ 20 financial year and the variances contained within it, as its amended and current budget for the period ending 30 June 2020.

**CARRIED**



#### 14.3.2 Smith St & Fuller St Expressions of Interest Evaluation Panel

**Moved:** Cr Ashby  
**Seconded:** Cr Coleman

##### **CNC390/19-20**

That Item 14.3.2 Smith St & Fuller St Expressions of Interest Evaluation Panel be suspended until after the confidential items.

**CARRIED**

#### 14.3.3 Planning Environment & Regulatory Services (PERS) Amended Fees & Charges 2020-2021

**Moved:** Cr Furlan  
**Seconded:** Cr Ashby

##### **CNC391/19-20**

That Council adopts the Planning Environment & Regulatory Services (PERS) Amended Fees & Charges 2020-2021, appearing as Attachment A to the report titled PERS Amended Fees & Charges Report 2020-2021.

**CARRIED**

#### 14.3.4 Equine Therapy Request

**Moved:** Cr Ashby  
**Seconded:** Cr Furlan

##### **CNC392/19-20**

That Council grants permission to Ms Griffiths to provide equine therapy on Sundays and Mondays, between 10am – 11.30am starting and ending at the Adelaide Clinic, along in a circuit route down Park Terrace, Rose Terrace, continuing along the River Torrens path to the Piazza Apartments steps and back up onto Park Terrace to terminate the walk at the Adelaide Clinic.

##### Amendment to Motion

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

That prior to Council granting permission to Ms Griffiths to provide equine therapy on Sundays and Mondays, between 10am-11:30am a formal risk assessment be undertaken on the proposed route, recognising that the therapy starts and ends at the Adelaide Clinic, along in a circuit route down Park Terrace, Rose Terrace, continuing along the River Torrens path to the Piazza Apartments steps and back up onto Park Terrace to terminate the walk at the Adelaide Clinic.

**Amendment was lost for want of a seconder**

*The Mayor put the original Motion to a vote and the Motion was **CARRIED***

#### Division

Cr Williams called for a **division**.

The Mayor declared that the vote be set aside.

**Members voting in the affirmative:** Cr Furlan, Cr Coleman, Cr Bishop, Cr Ashby, Cr Joshi, Cr Wilkins

**Members voting in the negative:** Cr Nenke, Cr Williams

The Mayor declared the motion as **CARRIED**

#### 14.3.5 Sponsorship Application

**Moved:** Cr Wilkins

**Seconded:** Cr Bishop

#### **CNC393/19-20**

1. That Council receives and notes the sponsorship application from Luke Spajic (**Attachment A**);
2. That Council allocate \$150 to Luke Spajic;
3. That Administration write to the applicant for the Sponsorship grant advising them of Council's decision.

**CARRIED**

#### 14.4 Subsidiaries

##### 14.4.1 Highbury Landfill Authority Draft 2020/21 Budget

**Moved:** Cr Ashby

**Seconded:** Cr Bishop

#### **CNC394/19-20**

1. That Council endorses the 2020/21 Highbury Landfill Authority Draft Budget and Annual Business Plan.
2. That Council requests that the Administration write to Highbury Landfill Authority advising of Council's decision.

**CARRIED**

14.4.2 Regional Public Health and Wellbeing Plan for the EHA Constituent Councils 2020-2025

**Moved:** Cr Coleman

**Seconded:** Cr Joshi

**CNC395/19-20**

1. That Council having considered Attachments A & B, receives and notes the report entitled Regional Public Health and Wellbeing Plan for the EHA Constituent Councils 2020-2025.
2. That Council endorses the proposed Regional Public Health and Wellbeing Plan for the EHA Constituent Councils 2020-2025 as provided in Attachments A & B.

**CARRIED**

14.4.3 Eastern Health Authority Draft Budget and Annual Business Plan 2020/21

**Moved:** Cr Joshi

**Seconded:** Cr Furlan

**CNC396/19-20**

1. That Council endorses the 2020/21 Eastern Health Authority Draft Budget and Annual Business Plan shown in Annexure One with the exception that Council does not support the proposed independent service review proposed by EHA by refusing to make an \$8,000 commitment to the cost of the review.

And

2. That Administration write to Eastern Health Authority advising of Council's decision and rationale.

**CARRIED**

*Cr Ashby left the Chambers at 9.10pm.*

**15 IDENTIFICATION OF ITEMS FOR INDIVIDUAL CONSIDERATION**

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

**CNC397/19-20**

That agenda items 16.3.1, 16.3.2, 16.3.3, 16.3.6, 16.4.1, 16.4.2 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 Bishop

**Seconded:** Cr Furlan

#### **CNC398/19-20**

That Council receives and notes the Monthly Financial Report as at 30 April 2020.

**CARRIED**

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

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

#### **CNC399/19-20**

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

**CARRIED**

#### 16.3.3 Works Report for April 2020

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

#### **CNC400/19-20**

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

**CARRIED**

*Cr Ashby returned to the Chamber at 9:13pm*

#### 16.3.4 Hamilton Reserve Upgrade - Public Consultation Update Report

**Moved:** Cr Wilkins

**Seconded:** Cr Williams

##### **CNC401/19-20**

That Council receives and notes the Hamilton Reserve Upgrade - Public Consultation Update Report.

**CARRIED**

#### 16.3.5 Grant Funding Update

**Moved:** Cr Furlan

**Seconded:** Cr Bishop

##### **CNC402/19-20**

That Council receive and note the Grant Funding update report.

**CARRIED**

#### 16.3.6 CEO Performance Review Committee Minutes

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

##### **CNC403/19-20**

That Council receives and notes the CEO Performance Review Committee minutes for the meeting held on 11 May 2020.

**CARRIED**

### 16.4 Subsidiaries

#### 16.4.1 East Waste Management Authority Board Minutes

**Moved:** Cr Bishop

**Seconded:** Cr Furlan

##### **CNC404/19-20**

That Council receives and notes the East Waste Management Authority Board minutes of the special meeting convened on 9 April 2020.

**CARRIED**

#### 16.4.2 Eastern Health Authority Board of Management Minutes

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

##### **CNC405/19-20**

That Council receive and note the revised minutes of the Eastern Health Authority Board of Management meeting held on 29 April 2020 appearing as Attachment A to this report.

**CARRIED**

#### 16.5 Outstanding Council resolutions

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

##### **CNC406/19-20**

That Council receive and note the list of Council resolutions currently being processed as at 14 May 2020.

**CARRIED**

### **17 CORRESPONDENCE**

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

##### **CNC407/19-20**

That the correspondence as listed below be received and noted:

*Cr Wilkins left the teams meeting 9.31 pm*

*Cr Wilkins returned to the meeting at 9.32pm*

- 17.1 Correspondence to Mayor Fricker from David Speirs MP
- 17.2 Correspondence to Mayor Fricker from Hon John Dawkins MLC
- 17.3 Correspondence to Mayor Fricker from Hon Steven Marshall MP

**CARRIED**

### **18 URGENT OTHER BUSINESS**

Nil.

## 19 CONFIDENTIAL ITEMS

### 19.1 Commercial Leases – COVID-19 Legal Advice and Application for Assistance

#### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

#### **CNC408/19-20**

##### 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 Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert and Business Analyst (Property & Contracts) Scott Reardon, Communications Officer Sarah Spencer, Financial Advisor Michael Richardson and Manager Community Development & Engagement, Fiona Deckert be excluded from attendance at the meeting for Agenda Item 19.1 Commercial Leases – COVID-19 Legal Advice and Application for Assistance.

The Council is satisfied that, pursuant to section 90(3)(b) and 90(3)(h) 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 9.43 pm the meeting moved into confidence.*

#### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Ashby

#### **CNC410/19-20**

##### Pursuant to s.91(7)

That having considered Agenda Item 19.1 Commercial Leases – COVID-19 Legal Advice, and Application for Assistance - 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 9.52 pm the meeting moved out of confidence.*

## 19.2 Community Leases – COVID-19 Rent Assistance

### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Joshi

**CNC411/19-20**

#### 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 Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Business Analyst (Property & Contracts) Scott Reardon, Communications Officer Sarah Spencer and Financial Advisor Michael Richardson be excluded from attendance at the meeting for Agenda Item 19.2 Community Leases – COVID-19 Rent Assistance.

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.

**CARRIED**

*The time being 9.53pm the meeting moved into confidence.*

### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

**CNC413/19-20**

That having considered Agenda Item 19.2 Community Leases – COVID-19 Rent Assistance - 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 10.07pm the meeting moved out of confidence.*

### 19.3 Ministerial Submission - Application for Revocation

**Moved:** Cr Ashby

**Seconded:** Cr Nenke

#### **CNC414/19-20**

That this item not be dealt with 'in confidence' but as a general agenda item as information relating to this issue should be publicly available.

**LOST**

#### Division

Cr Nenke called for a **division**.

The Mayor declared that the vote be set aside.

**Members voting in the affirmative:** Cr Ashby, Cr Nenke, Cr Williams

**Members voting in the negative:** Cr Furlan, Cr Coleman, Cr Bishop, Cr Wilkins, Cr Joshi

The Mayor declared the motion **LOST**

#### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

#### **CNC415/19-20**

#### 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, the Chief Executive Officer Kiki Cristol, Group Manager Asset & Infrastructure Joshua Bowen, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Business Analyst (Property & Contracts) Scott Reardon, Communications Officer Sarah Spencer and Financial Advisor Michael Richardson be excluded from attendance at the meeting for Agenda Item 19.3 Ministerial Submission - Application for Revocation.

The Council is satisfied that, pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis to the Minister of Local Government, and the Office of Local Government in relation to Council's application to Revoke the Community Land Classification from those portions of land located at Smith and Fuller Streets.

In addition, Council has further considered that the information would on balance be contrary to the Public interest because the update provided within this report will include discussion and consideration of material relevant to the aforementioned application, as well as any future application(s) that may be submitted to the Minister of Local Government.

**CARRIED**

*The time being 10.19pm the meeting moved into confidence.*

**Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

**CNC416/19-20**

That Council receives and notes the Ministerial Submission - Application for Revocation report.

**CARRIED**

**Recommendation (Public)**

**Moved:** Cr Ashby

**Seconded:** Cr Bishop

**CNC417/19-20**

Pursuant to s.91(7)

That having considered Agenda Item 19.3 Ministerial Submission - Application for Revocation in confidence under section 90(2) and (3)(j) 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 term of 12 months or until such time that the Revocation of the Community Land Classification be finalised and that pursuant to Section 91(9)(c) of the *Local Government Act 1999* the Council delegates to the Chief Executive Officer the and 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* Council and re-admit the public.

**CARRIED**

*The time being 10.44pm the meeting moved out of confidence.*

#### 19.4 ERA Water Independent Chairperson

##### **Recommendation (Public)**

**Moved:** Cr Bishop

**Seconded:** Cr Coleman

**CNC418/19-20**

##### Pursuant to s90(3)(h)

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 Asset & Infrastructure Joshua Bowen, Group Manager Planning, Environment & Regulatory Services Andreea Caddy, Group Manager Customer Experience Danielle Garvey, Manager Community Development & Engagement Fiona Deckert, Business Analyst (Property & Contracts) Scott Reardon, Communications Officer Sarah Spencer and Financial Advisor Michael Richardson be excluded from attendance at the meeting for Agenda Item ERA Water Independent Chair.

The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information pertaining to the personal and confidential details of applicants for the position of ERA Water Independent Chairman.

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 matter relates to confidential details of various persons.

**CARRIED**

*The time being 10.45pm the meeting moved into confidence.*

##### **Recommendation (Public)**

**Moved:** Cr Ashby

**Seconded:** Cr Coleman

**CNC420/19-20**

##### Pursuant to s.91(7)

That having considered Agenda Item ERA Water Independent Chairman in confidence under section 90(2) and (3)(h) 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 the matter has been finalised and that the attachments to the report remain in confidence for a period of seven (7) years, 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* Council and re-admit the public

**CARRIED**

*The time being 10.54pm the meeting moved out of confidence.*

*Having dealt with the Confidential Agenda Items the Mayor returned to Agneda Item 14.3.2 Smith St & Fuller St Expressions of Interest Evaluation Panel, which was deferred from earlier in the meeting and opened the Item for discussion.*

#### 14.3.2 Smith St & Fuller St Expressions of Interest Evaluation Panel

**Moved:** Cr Bishop

**Seconded:** Cr Williams

#### **CNC421/19-20**

1. That Council increases the number of persons appointed to the Smith St & Fuller St Expressions of Interest Evaluation Panel from three (3) to five (5).
2. That Administration compile a list of suitably qualified potential candidates who hold knowledge of and experience in the following areas:
  - Property Development;
  - Accounting;
  - Property Law;
  - Planning/ Development/ Design/place making
3. That a subsequent report outlining the list of potential candidates be returned to Council at a future meeting.

**CARRIED**

## **20. CLOSURE**

*The meeting was declared closed at 10.59pm.*