

MINUTES OF ORDINARY COUNCIL MEETING



MINUTES

MINUTES OF THE MEETING OF COUNCIL HELD ON 14 DECEMBER 2021 COMMENCING AT 7:00 PM.

Present: Deputy Mayor, H. Evans
Councillors, A. Wotton, V.J. Tulloch, D. Wilkins, H. Wright,
J. den Hartog, S. Vines, K. Mitchell, K.P. Dinh, J.A. Croci,
O. Colombo, C.J. Martin, B. Clayton, A.J. Barca, P. Russell,
M.A. Basham, and M.J. Osborn
Chief Executive Officer, M. Withers
Director Community Development, F. Harvey
Director City Assets, M. Buckerfield
Director Corporate Services, A. Dickson
Acting Governance Manager and Finance Manager, M. Gray
Manager Infrastructure Assets & Maintenance, G. Baker
Manager Design Construction & Transport, C. Dunn
Manager Community & Environmental Health, B. Thomass
Senior Governance Advisor, D. Worden
Media, Marketing and Communications Senior Advisor, T. Nicholson

Kaurna Acknowledgement

Before we begin the proceedings, I would like to acknowledge and pay respect to the Traditional Owners of the land on which we stand, the Kaurna People of the Adelaide Plains. It is upon their ancestral lands that the Port Adelaide Enfield Council meets. It is also The Place of the Kardi, the Emu, whose story travels from the coast inland.

We pay respect to Elders past and present. We respect their spiritual beliefs and connections to land which are of continuing importance to the living Kaurna people of today. We further acknowledge the contributions and important role that Aboriginal people continue to play within our shared community.

Apologies: Her Worship the Mayor, C. Boan

Leave of Absence: Nil

3 CONFIRMATION OF MINUTES

Cr Barca moved that the minutes of the meeting of Council held on 9 November 2021, as per copy supplied to Members, be taken as read and confirmed.

Cr Russell seconded.

CARRIED.

4 DECLARATIONS BY MEMBERS OF CONFLICT OF INTEREST

Cr. den Hartog declared a conflict of interest in relation to Item 12.1.8 '*Heritage Grants*'

Cr. Tulloch declared a conflict of interest in relation to Item 12.2.10 '*Green Adelaide Grant Funding, Roy Marten Park Labyrinth*'

Cr. Mitchell declared a conflict of interest in relation to Item 12.3.8 '*Nominations for the SA Power Networks Community Advisory Board*'

Cr Osborn declared a conflict of interest in relation to Item 16.2 & 16.3 '*Australia Day Awards 2022 - Citizen of the Year*'

Cr. Basham withdrew from the Chamber at 7.04pm.

Cr Basham re-entered the Chamber at 7.08pm

5 DEPUTATIONS

5.1 Deputation - State Emergency Service Use Of Stockade Park

Cr. Osborn moved that Council resolves to receive the deputation from Teela Cumberworth and Kon Kotsiou regarding the State Emergency Service Use of Stockade Park.

Cr. Martin seconded

CARRIED.

6 ADJOURNED DEBATE

7 MAYOR'S REPORT

7.1 Mayor's Report - 1 November 2021 to 30 November 2021

Cr. Dinh moved that Council resolves that the report of the Director Corporate Services titled "Mayor's Report - 1 November 2021 to 30 November 2021" be received and noted.

Cr. Barca seconded

CARRIED.

8.1 Petition - Community Green Space - McLaren Parade

Cr. Vines moved that Council resolves that:

1. The petition titled "*Community Green Space- McLaren Parade*" be received and noted.
2. A report be brought back to Council in early 2022 responding to the request to consider purchasing the parcel indicated and detailing the potential for additional community spaces around McLaren Parade, Port Adelaide.

Cr. den Hartog seconded

CARRIED.

Cr. Osborn withdrew from the Chamber at 7.16pm.

Cr. Clayton moved that Council resolves that the report of the Director Community Development titled "Outstanding Matters – Community Development" be received and noted.

Cr. Wright seconded

CARRIED.

Cr. den Hartog moved that Council resolves that:

1. The report of the Director Community Development titled "NDIS Service Impact Update" be received and noted.
2. A further report be provided to Council in June 2022 which provides an update on the transitioned HACC clients.

Cr. Wilkins seconded

CARRIED UNANIMOUSLY.

Cr. Osborn re-entered the Chamber at 7.18pm.

12.1.3 Futsal Park Update

Pursuant to Section 75 and 75(A) of the Local Government Act, Cr. Martin declared a perceived conflict of interest in relation to Item 12.1.3 Futsal Park Blair Athol Reserve. Cr. Martin will deal with the perceived conflict by remaining in the chamber and exercising her right to vote.

Cr. Martin moved that Council resolves that:

1. the report of the Director Community Development titled "Futsal Park Update" be received and noted.
2. Commend One Culture for the success of their efforts to activate Futsal Park
3. Requests that the Administration
 - a) work with SAASL to increase its efforts to activate Futsal Park in keeping with the aims and aspirations set for the site
 - b) bring a further report back to Council not later than July 2022 demonstrating evidence of SAASL's efforts to activate the site

Cr. Wright seconded

CARRIED.

Cr. Martin voted in favour of the motion.

12.1.4 Aboriginal Lives Matter Update

Cr. Vines moved that Council resolves that:

1. The report of the Director Community Development titled "Aboriginal Lives Matter Update" be received and noted.
2. The Administration provide a progress report to Council by December 2022.

Cr. Tulloch seconded

CARRIED UNANIMOUSLY.

12.1.5 Overnight Camping On The Foreshore

Cr. den Hartog moved that Council resolves that:

1. The report of the Director Community Development titled "Overnight Camping on the Foreshore" be received and noted.
2. The parking controls designating "No Parking" between 10pm and 5am on the foreshore carparks where overnight camping occurs be extended for a further 12 months.
3. A further report is brought back to Council after 12 months outlining the impact and effectiveness of the parking controls.

Cr. Tulloch seconded

CARRIED.

12.1.6 Rubbish Dumping CCTV Trial Expansion

Cr. Colombo moved that Council resolves that:

1. The report of the Director Community Development titled "Rubbish Dumping CCTV Trial Expansion" be received and noted.
2. Option 3 'to implement an illegal dumping program which utilizes CCTV cameras for targeted events and campaigns' is supported.
3. Funding of \$20,000 is allocated in the 2022/2023 draft budget to support the illegal dumping program including the use of CCTV.

Cr. Dinh seconded

CARRIED.

12.1.7 Merchant Navy Day

Cr. Vines moved that Council resolves that:

1. The report of the Director Community Development titled "Merchant Navy Day" be received and noted.
2. Council staff work with the Merchant Navy Association to support the organising and delivery of the annual Merchant Navy Day commemoration service on the third of September each year.
3. The Red Ensign flag be flown at its Civic Centre on 3 September each year in recognition of Merchant Navy Day.

Cr. Wotton seconded

CARRIED UNANIMOUSLY.

12.1.8 Heritage Grants

Pursuant to Section 73 and 74 of the Local Government Act, Cr. den Hartog declared a material conflict of interest in relation to this item as he owns a state heritage listed property and is eligible to apply for grants.

Cr. den Hartog withdrew from the chamber at 7.54pm.

Cr. Vines moved that Council resolves that:

1. The report of the Director Community Development titled "Heritage Grants" be received and noted.
2. The budget for the 2021/2022 Heritage Grant Program be increased to \$60,000.
3. The increase of \$24,600 to the 2021/2022 Heritage Grant Program budget be funded from any underspend within Council's other grant programs and/or a budget variation during the 2021/2022 financial year if necessary.

Cr. Dinh seconded

CARRIED UNANIMOUSLY.

Cr. den Hartog re-entered the Chamber at 7.56pm.

12.2 Director of City Assets Report

12.2.1 Outstanding Matters - City Assets

Cr. Osborn moved that Council resolves that the report of the Director City Assets titled "Outstanding Matters - City Assets" be received and noted.

Cr. Clayton seconded

CARRIED.

12.2.2 Pram and Disability Recess Seating

Cr Wright moved that Council resolves that the report of the Director City Assets titled "Pram and Disability Recess Seating" be received and noted.

Cr Mitchell seconded

CARRIED.

12.2.3 Comprehensive Review of Footpaths

Cr. Mitchell moved that Council resolves that the report of the Director City Assets titled "Comprehensive Review of Footpaths" be received and noted.

Cr. Russell seconded

CARRIED.

12.2.4 E-scooters into Side Streets Considerations

Cr Wilkins moved that Council resolves that:

1. The report of the Director City Assets titled "E-scooters into Side Streets Considerations" be received and noted.
2. Council Administration write to the Department for Infrastructure and Transport requesting approval for the trial area to be extended to Glanville Train Station only along Semaphore Road (between Causeway Road and Military Road) and a small portion of Causeway Road to the station noting the 'exclusion' zones and parking zones indicated in Attachment 1 of the Report, until April 2022 to align with the Coastal trial timeframe.
3. having considered the results of the consultation, does not proceed with the proposal to extend e-scooters into side streets at this time.
4. people who participated in the consultation about the proposal be advised of (2) and (3) above.
5. a further report be provided at the April 2022 Council meeting with the results of the trial along the coast.

Cr. den Hartog seconded

CARRIED.

12.2.5 TK Shutter Reserve Parking

Cr. Barca moved that Council resolves that:

1. The report of the Director City Assets titled "TK Shutter Reserve Parking" be received and noted.
2. The designated parking area created on the verge on the southern side of Hender Avenue, Klemzig along the boundary of T.K. Shutter Reserve for use only on 'game days' (i.e. Saturday and Sunday from 8am-10pm) continue to operate for a smaller section of the verge.
3. The yellow linemarking on the southern section of Hender Avenue be retained to ensure access can be maintained at all times along the street.
4. Affected residents and property owners be advised of (2) and (3) above.

Cr. Russell seconded

CARRIED.

12.2.6 Rydges Hotel Port Adelaide Construction Permits

Cr. Vines moved that Council resolves that:

1. The report of the Director City Assets titled "Rydges Hotel Port Adelaide Construction Permits" be received and noted.
2. Having considered the feedback received during the period of community engagement in a manner that is satisfactory to the administration's Executive Leadership Team, the Chief Executive Officer, or delegate is authorised to execute any documents necessary, including an Authorisation and Permit pursuant Section 221 and 222 of the *Local Government Act 1999*, to make alterations to and use of McLaren Parade and Lipson Street for a business purpose, and to recover any of its costs in facilitating these arrangements.
3. Given the objections raised from adjacent businesses, resolution 2 above is subject to negotiations between the developer and the adjoining landowner failing to secure the use of the adjoining private land.
4. Owners and occupiers within the initial mail out area and people who provided written submissions during the community engagement, be advised of (2) above.

Cr. Wright seconded

Cr. Dinh withdrew from the Chamber at 8.14pm.

Cr. Dinh re-entered the Chamber at 8.17pm.

Cr. Wilkins moved that the matter be adjourned to a subsequent meeting of Council.

Cr. Osborn seconded

CARRIED.

Cr. Vines called a DIVISION

Deputy Mayor Evans declared the vote set aside.

The following voted in the affirmative: Cr. Osborn, Cr. Basham, Cr. Russell, Cr. Clayton, Cr. Martin, Cr. Colombo, Cr. Croci, Cr. Mitchell, Cr. den Hartog, Cr. Wright, Cr. Wilkins, Cr. Tulloch and Cr. Wotton.

The following voted in the negative: Cr. Barca, Cr. Dinh and Cr. Vines.

The motion was CARRIED.

12.2.7 Princes Road Reserve

Item 12.2.7 Princes Road Reserve to be considered after Item 13.5.

12.2.8 Northgate Parade Footpath Construction

Cr. Basham moved Council resolves that:

1. The report of the Director City Assets titled "Northgate Parade Footpath Construction" be received and noted.
2. The footpath on Northgate Parade is completed for the other side of the road, and that the costs are referred to the 22/23 budget process
3. Affected residents and those originally consulted on the proposal be advised of (2) above.

Cr. Osborn seconded

CARRIED.

Cr. Wilkins called a DIVISION

Deputy Mayor Evans declared the vote set aside.

The following voted in the affirmative: Cr. Osborn, Cr. Basham, Cr. Russell, Cr. Barca, Cr. Clayton, Cr. Martin, Cr. Croci, Cr. Dinh, Cr. den Hartog, Cr. Wright, Cr. Tulloch and Cr. Wotton.

The following voted in the negative: Cr. Colombo, Cr. Mitchell, Cr. Vines and Cr. Wilkins.

The motion was CARRIED.

12.2.9 Semaphore Road - Footpath Assessment

Cr. Wotton moved that Council resolves that:

1. The report of the Director City Assets titled "Semaphore Road - Footpath Assessment" be received and noted.
2. Implementation of the treatments outlined within this report be supported for installation.
3. An allocation of \$75,000 to accommodate (2) above be considered as part of the Annual Business Plan and Budget process for 2022/23.
4. The head petitioner and other petitioners (where contact details have been provided), local businesses in that section of Semaphore Road and the Port Adelaide Bike User Group be advised of (2 and 3) above.

Cr. Wright seconded

CARRIED.

12.2.10 Green Adelaide Grant Funding - Roy Marten Park Labyrinth

Pursuant to Section 73 and 74 of the Local Government Act, Cr. Tulloch declared an actual conflict of interest in relation to Item 12.2.10 Green Adelaide Grant Funding, Roy Marten Park Labyrinth, as she is the Chairperson and Board Member of the Estuary Care Foundation which is seeking a grant from Council.

Cr. Tulloch withdrew from the chamber at 8.57pm.

Cr. Wotton moved that Council resolves that:

1. The report of the Director City Assets titled "Green Adelaide Grant Funding – Roy Marten Park Labyrinth" be received and noted.
2. Council supports the development of a coastal native food labyrinth at Roy Marten Park.
3. A total Capital Budget of \$43,500 be provided for the labyrinth, and the income of \$19,250 be recognized, as part of the second Budget Review process for 2021/22 (net cost to Council of \$24,250).

Cr. Wright seconded

CARRIED.

Cr. Tulloch re-entered the Chamber at 9.05pm.

12.3 Director of Corporate Services Report

12.3.1 Outstanding Matters - Corporate Services

Cr. Clayton moved that: Council resolves that the report of the Director Corporate Services titled "Outstanding Matters - Corporate Services" be received and noted.

Cr. Dinh seconded

CARRIED.

12.3.2 Living Environment Program Progress Report

Cr. Mitchell moved that Council resolves that:

1. The report of the Director Corporate Services titled "Living Environment Program Progress Report" has been received and noted.
2. The Draft Sustainable Buildings Policy, as per Attachment 2 of this report, is endorsed for piloting over the next twelve months, with an evaluation report to be presented to the Council in November 2022.
3. The Draft Green Business Incentive Scheme Guidelines, as per Attachment 3 of this report, is endorsed.

Cr. Osborn seconded

CARRIED.

12.3.3 Regional Housing Plan - Update

Cr. den Hartog moved that Council resolves that:

1. The report of the Director Corporate Services titled "Regional Housing Plan - Update" be received and noted.
2. The Administration continue to work with the South Australian Housing Authority to explore the development of a Local Affordable Housing Plan that also addresses social housing needs, including providing feedback on the Draft Toolkit.
3. The Administration scope the data requirements for the development of a Plan and the costs of data acquisition and report back to Council by March 2022.

Cr. Osborn seconded

CARRIED.

12.3.4 Strategies to Address Low Provision of Open Space

Cr. den Hartog moved that Council resolves that:

1. The Director Corporate Services' report titled "Strategies to Address Low Provision of Open Space" be received and noted.
2. The seven strategies from the Open Space Plan outlined in Table 2 of this report will be utilised to address suburbs identified as having low to very low provision of open space, *with strategy 4 (Streetscapes) being prioritised in the investigations for appropriate solutions.*
3. A further Council report will be brought back to Council in March 2022, with additional information relating to the delivery of the seven strategies and the overall Open Space Plan.

Cr. Basham seconded

CARRIED.

12.3.5 Policy Review - Public Interest Disclosure

Cr. Osborn moved that Council resolves that:

1. The report of the Director Corporate Services titled "Policy Review - Public Interest Disclosure" be received and noted.
2. The new draft Policy and Procedure for *Public Interest Disclosure* as per Attachments 2 and 3 are endorsed.
3. The new draft *Complaints and Grievances Policy* as per attachment 4 of this report is endorsed.
4. The *Public Integrity – Complaints and Investigations Policy* as per Attachment 1 of this report be revoked

Cr. Dinh seconded

CARRIED.

12.3.6 Change to January 2022 Council Ordinary Meeting Date

Cr. Dinh moved that Council resolves that:

1. The report of the Director Corporate Services titled "Change to January 2022 Council Ordinary Meeting Date" be received and noted.
2. The date of the ordinary meeting scheduled on 18 January 2022 in accordance with a resolution of Council dated 27 November 2018 be amended to 25 January 2022, commencing at 7:00pm.

Cr. Wright seconded

CARRIED.

12.3.7 Nominations for the SA Power Networks Community Advisory Board

Pursuant to Section 73 and 74 of the Local Government Act, Cr. Mitchell declared a material conflict of interest in relation to this item as the position attracts fees.

Cr. Mitchell withdrew from the chamber at 9.19pm.

Cr. Osborn moved that Council resolves that:

1. The report of the Director, Corporate Services titled "Nominations for the SA Power Networks Community Advisory Board" be received and noted.
2. Council nominates Cr Mitchell to be considered by the Local Government Association for appointment as member of the SA Power Networks Community Advisory Board.

Cr. Vines seconded

CARRIED UNANIMOUSLY.

Cr. Mitchell re-entered the Chamber at 9.21pm.

12.4 Chief Executive Officer Report - NIL

13 NOTICE OF MOTION

13.1 Notice of Motion - Cr. Martin - Asbestos Disease Memorial Site at Jack Watkins Reserve

Cr. Martin moved that Council resolves that the:

- 1) Administration investigates options to enhance the asbestos disease memorial site at Jack Watkins reserve in Kilburn including the potential to develop a permanent shelter adjacent the memorial site;
- 2) Administration consider options that encourage people to visit and utilise the memorial and broader reserve more frequently, with the opportunity to raise awareness of asbestos-related diseases at this unique site.

Cr. Clayton seconded

CARRIED.

13.2 Notice of Motion - Cr. Basham - Memorial Plaque for Kirkby Circuit, Greenacres

Cr. Basham moved that Council resolves that the Administration brings back a report to Council on the suitability and cost of using the plinth in Kirkby Circuit Reserve, Greenacres to commemorate our parks and garden staff for their service to the community over the years.

Cr. Osborn seconded

CARRIED.

Cr. den Hartog withdrew from the Chamber at 9.26pm.

13.3 Notice of Motion - Cr. Martin - Impacts of Urban Infill

Cr. Martin moved that Council resolves to write to the Minister for Planning & Local Government requesting a review and reform of the Fences Act 1975 so that it can address the impacts of urban infill. The review should take into account comparative interstate legislation in order to develop best practice dispute resolution for fencing disagreements whilst protecting adjacent property owners rights.

Cr. Clayton seconded

CARRIED.

Cr. den Hartog re-entered the Chamber at 9.28pm.

13.4 Notice of Motion - Cr. Martin - Dingley Dell Reserve

Cr. Martin moved that Council resolves to:

1. Pay tribute and recognition to Mr. Brian Doherty during the play space upgrade of Dingley Dell Reserve, Blair Athol by establishing commemorative signage;
2. Ensure that the signage is in conformance with the newly adopted signage strategy;
3. Receive a report from the Administration, advising of the outcomes and preferred options.

Cr. Colombo seconded

CARRIED UNANIMOUSLY.

13.5 Notice of Motion - Cr. Evans - Rescission Motion

Cr. Evans moved that Council resolves that:

1. That Council rescind its decision of 9 March 2021 relating to Agenda Item 12.2.5 - St Martins Catholic School - Proposed Community Land Revocation and Road Closure.
2. Having taken into consideration the public submissions, Council resolves to proceed to obtain the approval of the Minister for Planning and Local Government ('the Minister') of the proposed revocation of the Community Land classification of Princes Road Reserve, Greenacres: (a) described as Allotment 105 in Deposited Plan 7922 being portion of the land contained in partially cancelled Certificate of Title Volume 3471 Folio 133; (b) for the purpose of creating additional staff car parking to support the expanded facilities of the adjacent St Martins Catholic Primary School at 60-80 Princes Road, Greenacres ('the Revocation Proposal').
3. The Chief Executive Officer is authorised to:
 - a. make an Application to the Minister for approval of the Revocation Proposal ('the Application') and to determine the content of the Application;
 - b. sign the Application;
 - c. undertake all necessary steps to arrange the submission of the Application to the Minister; and
 - d. provide such information and sign such documents as required by the Minister in relation to the Application.
4. Following a response from the Minister, a further report be submitted to Council to enable it to make a decision whether to proceed with a resolution to give effect to the Revocation Proposal.
5. If the land is subsequently approved for sale, revenue from the potential sale of the land be directed towards greening initiatives in Greenacres.

Cr. Osborn moved a formal motion that the notice of motion lie on the table.

Cr. Dinh seconded

CARRIED.

Cr. Clayton withdrew from the Chamber at 9.38pm.

Cr. Clayton re-entered the Chamber at 9.41pm.

12.2.7**Princes Road Reserve**

Cr. Basham moved that Council resolves that:

1. The report of the Director of City Assets titled "Beautification of Princes Road Reserve" be received and noted.
2. The administration undertake consultation with the local community in relation to the plan in this report
3. Subject to the result of consultation, the Princes Road Reserve be enhanced through the inclusion of 'Halo' plantings around selected specimen trees within the reserve, with works to commence in the autumn of 2022.

Cr. Osborn seconded

Cr. Vines moved that the debate to be adjourned to a future meeting of Council.

Cr. Wright seconded

CARRIED.

Cr. Wilkins moved that the recission motion at Item 13.5 be retrieved from the table.

Cr. Russell seconded

CARRIED.

Cr. Evans moved that Council resolves that:

1. That Council rescind its decision of 9 March 2021 relating to Agenda Item 12.2.5 - St Martins Catholic School - Proposed Community Land Revocation and Road Closure.
2. Having taken into consideration the public submissions, Council resolves to proceed to obtain the approval of the Minister for Planning and Local Government ('the Minister') of the proposed revocation of the Community Land classification of Princes Road Reserve, Greenacres: (a) described as Allotment 105 in Deposited Plan 7922 being portion of the land contained in partially cancelled Certificate of Title Volume 3471 Folio 133; (b) for the purpose of creating additional staff car parking to support the expanded facilities of the adjacent St Martins Catholic Primary School at 60-80 Princes Road, Greenacres ('the Revocation Proposal').
3. The Chief Executive Officer is authorised to:
 - a. make an Application to the Minister for approval of the Revocation Proposal ('the Application') and to determine the content of the Application;
 - b. sign the Application;
 - c. undertake all necessary steps to arrange the submission of the Application to the Minister; and
 - d. provide such information and sign such documents as required by the Minister in relation to the Application.
4. Following a response from the Minister, a further report be submitted to Council to enable it to make a decision whether to proceed with a resolution to give effect to the Revocation Proposal.
5. If the land is subsequently approved for sale, revenue from the potential sale of the land be directed towards greening initiatives in Greenacres.

Cr. Wilkins seconded

LOST.

Cr. Osborn called for a DIVISION.

Deputy Mayor Evans declared the vote set aside.

Those voting in favour of the motion: Cr. Croci and Cr. Wilkins.

Those voting against the motion: Cr. Osborn, Cr. Basham, Cr. Russell, Cr. Barca, Cr. Clayton, Cr. Martin, Cr. Colombo, Cr. Dinh, Cr. Mitchell, Cr. den Hartog, Cr. Vines, Cr. Wright, Cr. Tulloch and Cr. Wotton.

The motion was LOST.

By show of hands of more than two thirds present the meeting was extended to run past 10.30pm.

13.6 Notice of Motion - Cr. Osborn - Australia Day Awards Guidelines

Cr. Osborn moved that Council resolves that:

That the Administration amend the guidelines for the Australia Day Awards to:

- extend the eligibility for the Emerging Event or Community group from one year to three years;
- create a new category for Older Citizen of the Year, with eligibility matching the Australia Day Council ie 65 years and above

Cr. Basham seconded

CARRIED.

Cr. Dinh withdrew from the Chamber at 10.36pm.

Cr. Dinh re-entered the Chamber at 10.39pm.

Cr. Mitchell withdrew from the Chamber at 10.41pm.

14 MOTIONS WITHOUT NOTICE - NIL

15 ADOPTION OF COMMITTEE REPORTS - NIL

16 CONFIDENTIAL ITEMS

16.1 Meeting to be held in Camera Section 90(2) and Section 90(3)(o) Local Government Act 1999 - Australia Day Awards 2022

Cr. Martin moved that Council resolves that:

1. Pursuant to Section 90(2) of the Local Government Act 1999 (the Act) the Council orders that all members of the public, except the staff members present: Chief Executive Officer, Director Community Development, Director Corporate Services, Director City Assets, Community Development Manager, Acting Governance Manager, Media, Marketing & Communications Senior Advisor, be excluded from the meeting for the following agenda items 16.2, 16.3, 16.4 & 16.5 relating to the Australia Day Awards 2022;

2. The Council is satisfied that, pursuant to Section 90(3)(o) of the Local Government Act 1999, the information relating to a proposed award recipient before the presentation of the award would not be appropriate and/or reasonable in the circumstances;
3. It is satisfied that the principle that meetings should be conducted in a place open to the public is outweighed by the need to keep the information and discussion confidential.

Cr. Russell seconded

CARRIED.

Cr. Mitchell re-entered the Chamber at 10.44pm.

CONFIDENTIAL

16.2 Australia Day Awards 2022 - Citizen of the Year

16.3 Australia Day Awards 2022 - Service to Community Awards

CONFIDENTIAL

16.4

Australia Day Awards 2022 - Young Citizen and Junior Citizen of the Year

CONFIDENTIAL

16.5 Australia Day Awards 2022 - Community Event and Emerging Community Event / Group of the Year

16.6 Confidentiality Order Section 91(7) Local Government Act 1999 - Australia Day Awards 2022

Cr. Martin moved that Council resolves that:

1. Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following reports of the Director Community Development titled:
 - *"Australia Day Awards 2022 – Citizen of the Year"*,
 - *"Australia Day Awards 2022 – Service to Community Awards"*,
 - *"Australia Day Awards 2022 – Young Citizen and Junior Citizen of the Year"*,
 - *"Australia Day Awards 2022 – Community event and Emerging Community Event/Group of the Year"*, shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(o) of the Act: the minutes, Council report related to agenda item 16.2, 16.3, 16.4 & 16.5 and the attachments to any and all reports on the grounds that the document(s) relate to information of proposed award recipients before the presentation of the award.
2. This order shall operate until the formal announcement of the Australia Day Awards 2022 – Citizen of the Year on 24 January 2022.
3. Pursuant to Section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Cr. Russell seconded

CARRIED.

17 CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 11.19pm.

Minutes confirmed.

PRESIDING MEMBER