



CONFIDENTIAL MINUTES

of

CONFIDENTIAL ORDINARY COUNCIL MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**TUESDAY, 28 JUNE 2022
AT 7:00PM**

The meeting went into confidence at 9:03 pm.

1 ATTENDANCE RECORD

1.1 Present

DEPUTY MAYOR PETER RENTOULIS – PRINCIPAL MEMBER

Cr Akram Arifi	Cr Marilyn Baker	Cr Stephen Coppins
Cr Veronica Gossink	Cr Shirley Halls	Cr David Kerrison
Cr Clint Marsh	Cr Misty Norris	Cr Jane Onuzans
Cr Dennis Ryan	Cr Gay Smallwood-Smith	Cr Katrina Stroet
Cr Cathy-Jo Tame		

Also in attendance for the meeting:

Chief Executive Officer
General Manager City Assets
General Manager City Services
General Manager Strategy and Corporate
Executive Strategic Advisor
Senior Manager Financial Services
Senior Manager Information, Technology & Governance
Strategic Financial Analyst
Acting Manager Governance
Governance Officer
Governance Support Officer
ICT Support
Minute Taker

Mr Sam Green
Mr Simon Blom
Ms Tina Hudson
Mr Dale Welsh
Mr Greg Pattinson
Ms Natalie Caon
Ms Elena Casciano
Ms Sam Grieve
Ms Christie Russell
Ms Domenica Crisafi
Ms Kelli Strugnell
Mr Nick Gehlert
Mrs Skye Nitschke

17.1 BUILDING UPGRADE FINANCE**Responsible Executive Manager:** Dale Welsh**B. THE BUSINESS MATTER****COUNCIL RESOLUTION****5032****Moved: Cr Marsh****Seconded: Cr Onuzans**

1. That pursuant to Clauses 2, 3 and 5 of Schedule 1B to the *Local Government Act 1999*, the Council resolves to enter into a building upgrade agreement with NBF Green Debt Fund No. 1 Pty Ltd (ACN 645 580 061), Lionsgate Elizabeth (Pelligra) Pty Ltd (ACN 622 463 174) and CEP Energy Pty Ltd (ACN 632 035 575) in the form specified in Attachment 1 to the report to Council dated 28 June 2022 ('the Agreement').
2. That the Chief Executive Officer execute the Agreement on the Council's behalf.
3. That pursuant to Clause 2(1)(c) and Clause 6(1) of Schedule 1B to the *Local Government Act 1999*, and Clause 6 of the Agreement, Council declares and levies a building upgrade charge on the land comprised in:
 - a. Certificate of Title Volume 5210 Folio 739;
 - b. Certificate of Title Volume 5216 Folio 49;
 - c. Certificate of Title Volume 5892 Folio 385; and
 - d. Certificate of Title Volume 6126 Folio 217,(being the land described in Schedule 1 to the Agreement), for the agreed amount of \$269,402.40 (plus such other charges payable to NBF Green Debt Fund No. 1 Pty Ltd under the Agreement) as specified in the Agreement and more particularly described in Clauses 1 and 6 and Schedule 4 of the Agreement.
4. That Council notes that the repayment arrangements and other obligations and requirements of Council and the other parties to the Agreement are as otherwise set out in the Agreement.
5. That the Chief Executive Officer be authorised to take such actions and give such notices as are required under the: *Local Government Act 1999*; the associated regulations; and the Agreement, as a consequence of the Council declaring and levying the building upgrade charge.

CARRIED

C. PROCEDURAL DECISION - COUNCIL TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE

COUNCIL RESOLUTION

5033

Moved: Cr Onuzans

Seconded: Cr Marsh

Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders that the following aspects of Item 17.1 be kept confidential in accordance with Council's reasons to deal with this item in confidence pursuant to Sections 90(3)(d)(h) of the *Local Government Act 1999*:

- Report for Item 17.1
- Attachment(s) 1, 3 and 4 for Item 17.1

This order shall operate until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) of the *Local Government Act 1999*.

CARRIED

The meeting reopened to the public at 9:10 pm.