

**Confidential - Questions Taken on Notice Register**

**Originating Officer** Governance Officer - Angela Porter

**Corporate Manager** Manager Corporate Governance - Kate McKenzie

**General Manager** General Manager City Services - Tony Lines

**Report Reference** GC210525F03

**Confidential** ☒

**Confidential Motion**

That pursuant to Section 90(2) and (3)(b)(i) and (ii) and (g) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Corporate Governance, Manager City Property, Unit Manager Land & Property, Unit Manager Communications and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to the Westminster Reserve, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to previous resolutions of Council containing commercial information including financial figures currently held in confidence.

**REPORT OBJECTIVE**

To receive and note the information contained within the *Questions Taken on Notice Register* provided in Attachment 1.

**EXECUTIVE SUMMARY**

At the 8 May 2018 General Council meeting Council resolved that (GC080518M01):

*Questions without Notice that were not answered at the same meeting will be entered into a register. This register will be tabled as an information report at the following meeting.*

Under Regulation 9 of the Local Government (Procedures at Meetings) Regulations 2013 (The Regulations):

(3) A member may ask a question without notice at a meeting.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

**RECOMMENDATION**

**That Council:**

1. Notes the report 'Questions Taken on Notice Register'.

2. In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that this report, the attachments, and any minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(b)(i) and (ii) and (g) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

#### Attachment

#	Attachment
1	GC210525 - Confidential - QON Register

## Questions Taken on Notice Register



Report Reference	Meeting Date	Councillor	Responsible Officer	Question taken on notice during the meeting	Response
GC210511F04 - Westminster Reserve – Confidential Appendix	11 May 2021	Cr Ian Crossland	Manager City Property – Thuyen Vi-Alternetti	<b>What has council (Management) responded to the offer of \$5k plus costs made by Westminster?</b>	Following the decision at the General Council Meeting 22 September 2020 to accept Westminster's offer (subject to the Community Land revocation process), a letter was sent to the Principal on 22 October 2020. The letter informed the school of Council's decision and sought confirmation from them if they wished to pursue purchase of the land in accordance with the conditions endorsed by Council. The school confirmed acceptance on 9 December 2020.
GC210511F04 - Westminster Reserve – Confidential Appendix	11 May 2021	Cr Kendra Clancy	Manager City Property – Thuyen Vi-Alternetti	<b>Do squatters rights apply to this portion of the land (if there is a shed, etc. on the land)?</b>	<p>The Real Property Act 1886 provides that "no person shall acquire any right or title to land under the provisions of this Act by any length of adverse possession, nor shall the right of the registered proprietor to recover possession of any such land be barred by any length of adverse possession."</p> <p>There is an exception if an applicant can satisfy the requirements of Part 7A of the Act. It is understood that it is extremely difficult for a claim to be successful under this provision.</p>