

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 23 April 2013 at 7:01pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, RA Clancy
Councillor RM Bouchée
Councillor P W Dixon
Councillor K M Donaldson
Councillor L R Fisk
Councillor J D Huckstepp
Councillor S C Lonie
Councillor T D Looker
Councillor S Patterson
Councillor R C Patton
Councillor L J Yates

STAFF IN ATTENDANCE

Chief Executive Officer – J P Lynch
General Manager Alwyndor – G Potter
General Manager City Assets – S G Hodge
Manager Development Services – A Marroncelli
Manager Finance – J Newton
Manager Organisational Sustainability – P E Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.01pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting His Worship the Mayor stated:
We acknowledge Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. PRAYER

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. APOLOGIES

- 4.1 Apologies Received - Councillor A P Roe
- 4.2 Absent – Nil

5. ITEMS PRESENTED TO COUNCIL - Nil**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C260413/902**

That the minutes of the Ordinary Meeting of Council held on 9 April 2013 be taken as read and confirmed.

Moved by Councillor Huckstepp, Seconded by Councillor Looker

Carried**8. QUESTIONS BY MEMBERS****8.1 Without Notice****8.1.1 Old Gum Tree Reserve Redevelopment– Councillor Patton**

Councillor Patton asked a question regarding the Old Gum Tree Reserve re-development.

The General Manager City Assets provided a response.

8.1.2 Purchase of Open Space - Councillor Bouchee

Councillor Bouchee asked a question regarding buying space through the development plan levy

The Chief Executive Officer, Mr J Lynch took the question on notice.

8.2 With Notice**8.2.1 Cinema Proposal – Mayor Rollond (Report No: 148/13)**

Mayor Rollond asked the following questions:

- “1. Now revocation has been approved is the offer by Mr Taplin final and non negotiable?”***

2. ***What is the final cost to the rate payers in both real estate devaluation and financial contribution?***
3. ***Will Council do a preliminary determination whether the project complies with the Development Plan or will that be left entirely to the Development Assessment Commission?***
4. ***Can the discussion of the DAC be appealed to the ERD Court?"***

ANSWER – Manager Organisational Sustainability

1. No. Council's decision on the 20 July 2012 was to draft a Heads of Agreement (HoA) with Mr Taplin, conditional upon receiving Ministerial approval to revoke the Community Land classification of the site. Ministerial approval was received in February 2013 and we are now in the process of developing a draft HoA. The HoA is intended to establish the basis of a working relationship with the developer and will articulate the expectations of Council, as well as establish the principles for moving the project forward. Matters to be agreed by both parties and included in the HoA include:
 - timeframes and critical decision points for both parties;
 - design principles for the car park and cinema; and
 - evidence of finance and capacity to complete the development – including a solution in relation to security for completion.

When the draft HoA is at a point where Mr Taplin and Council staff are confident that the relevant matters have been included, the document will be considered by Council for approval. If, at this time, Council agrees to the HoA, Council will also be asked to formally revoke the community land status.

2. Council's cash contribution for the development is capped at a total of \$2.5m, An independent valuer assessed the market value of the Partridge Street (west)/Milton/Cowper Street land in its unencumbered state in October 2012 at \$6.1m. He also determined that, should the development be completed as proposed, the car parking space would be valued at \$1.125m. This value should be off set against Council's stated intention when it purchased the land to develop it as a car-park; if the car-park was sold for this value then another parcel of land in Glenelg would need to be purchased for a corresponding use; the increase in rate revenue (estimated to be around \$67,000 pa); a reduction of approximately 40% of car parking revenue (\$40,000pa); and the cost of building a ramp car park on the eastern car park (with approximately the same number of additional car parks as is currently proposed) at around

\$4.88m. (It is also worth noting that the car park currently located on the eastern side of Partridge Street provides for free timed parking. Council assesses its fees and charges relating to car parking on an annual basis)

3. As part of the HoA, Council will have the opportunity to provide input into the design of the project prior to any formal development application. This includes the ability to establish design principles to ensure alignment with the Development Plan and encourage good urban design, and ensure independent design review by the new Office for Design and Architecture (formerly the Integrated Design Commission). While the DAC will ultimately be responsible for assessing the final development application against the Development Plan, the views of the Office for Design and Architecture and Council are expected to be considered.
4. The proposal in its current form will constitute a Category 2 form of development under the Development Plan and Development Act 1993. While the applicant can appeal a decision of the DAC to the ERD Court, there are no third party appeal rights in relation to a Category 2 development.

8.2.2 Brighton Caravan Park – Councillor Bouchee (Report No: 152/13)

BACKGROUND

Further to my question submitted to the Council meeting 12 March 2013, the reply provided by the Manager of Brighton Caravan Park listed on the Agenda of 26 March 2013 at Item 8, and the answer provided by Brighton Caravan Park Permanent Residents Committee by email at 5.03pm, 26 March 2013 to Councillors, the Mayor and the Chief Executive Officer.

Councillor Bouchee asked the following questions:

Question:

1. ***How does Council intend to follow up the reply provided by the Caravan Park Manager to Council in relation to prior (alleged) advice provided to residents in relation to development of Brighton Caravan Park to verify its validity considering the answer provided by the Permanent Residents Committee?***
2. ***Administration refers in the media, at meetings, and in various other communications, to the assistance being provided to residents of Brighton Caravan Park by the Community Care Team (CCT) to assist them to find alternate housing and the transition to relocate. One report suggested there are five case***

managers working with residents. Many residents registered on the initial number given to register for information and assistance either via telephone or email. Several of those people have not been contacted.

- 3. What does the assistance from Council/Administration to residents to transition to alternate housing and to relocate actually involve? Financial assistance to relocate is said to be available but no details have been provided. The sum of \$200 relocation assistance has been mentioned. Also provision of a flatbed truck to transport dwellings to a new location has been mentioned. Could Administration provide details in writing of what is included in their offer to assist residents in the transition to find alternate housing and in relocating residents and/or their dwellings, including what financial assistance is being offered?*
- 4. Has Council received any reports from the Community Care Team in relation to progress made in assisting resident to find alternate housing and to relocate? Two case managers are currently working with some of the residents who registered for assistance. Residents who have met with the CCT case managers have been referred to check with HousingSA, Seniors SA, ACH (Retirement Villages), Affordable Housing SA, Community Housing, various emergency housing agencies and St Kilda Caravan Park. To date no actual housing options have been identified by case managers and residents have been left to follow up the leads themselves.*
- 5. What assistance will be available to residents if the housing options provided to them are inappropriate i.e. too far from work, family, or in areas not suitable to residents?*
- 6. What plans does Council have to deal with residents who have not found appropriate accommodation by 30 June 2013?*
- 7. What communication or directive has there been between Council and Park Management about the transition period for residents who may be relocating before 30 June and also for residents to be in a position to consider relocation whilst still being in current lease agreement till June 30 2013?*

ANSWER – MANGER ORGANISATIONAL SUSTAINABILITY

Comprehensive answers to these questions will be provided on the Council Agenda presented at the next Council Meeting to be held on 14 May 2013.

9. MEMBER'S ACTIVITY REPORTS

9.1 Councillor Huckstepp

Councillor Huckstepp reported that he had attended:

- Seacliff Youth Centre, Strategic Planning Session
- Holdfast Bay History Centre – Grant Presentation
- Rail Revitalisation Public Consultation

9.2 Councillor Donaldson

Councillor Donaldson reported that she had attended:

- Holdfast Bay Community Centre Meeting
- Holdfast Bay History Centre – Grant Presentation

9.3 Councillor Looker

Councillor Looker reported that he had attended the KelledyJones Lawyers Webinar.

9.4 Councillor Yates

Councillor Yates reported that she had attended:

- Holdfast Bay History Centre – Grant Presentation
- KelledyJones Lawyers Webinar
- Rail Revitalisation Public Consultation
- Murray Darling Association Meeting

9.5 Councillor Fisk

Councillor Fisk reported that he had attended the Annual General Meeting of the Holdfast Shores Marina Association.

10. PUBLIC PRESENTATIONS

10.1 Petitions - Nil

10.2 Presentation - Nil

10.3 Deputations

10.3.1 Brighton Caravan Park Residents Association

A deputation from Ms Marilyn Pearson, representing the Brighton Caravan Park Residents Association addressed Council on the Section 270 Review of Council's decision.

His Worship the Mayor sought leave of the meeting to consider Report No: 151/13 next.

14.8 Brighton Caravan Park – Section 270 Review (Report No: 151/13)

Council received a letter on 4 March 2013 from Ms Marilyn Pearson, on behalf of the Brighton Caravan Park Permanent Residents' Committee, requesting that the Council undertake a review of its decision not to allow long-term residents to continue in occupation at the Brighton Caravan Park beyond 30 June 2013.

Whilst the letter refers to three decisions of the Council on 11 December 2012, 22 January 2013 and 12 February 2013 the critical decision and hence, the decision that is the subject of this review is that of the Council meeting of 22 January 2013 *"That the new management of the Park no longer include annual rentals"*. The implication of this decision is that the residential agreements of permanent residents of the Park will not be renewed upon their expiry on 30 June 2013, which means that the residents will be required to make alternative accommodation arrangements. It is understood that approximately 40 residents are impacted by the Council's decision.

The review process is guided by the Council's "Customer Feedback and Complaints Policy", which was adopted in accordance with section 270 of the Local Government Act 1999 (the Act). The Policy requires that the review must be determined by the Council (i.e. the elected body) since it was the original decision-maker. Accordingly, to facilitate the review process, since I have had no prior involvement with or knowledge of this matter, I have undertaken a review of all relevant information available to the Council at the time the decision was made and prepared this report for the Council's consideration.

For reasons outlined in the attached report, it is my view that the decision which is the subject of this review was lawfully made and is reasonably justified in all of the circumstances in the interests of the community.

Motion

- 1. That the Section 270 Review be received and noted.**
- 2. That the decision made by Council at its meeting on 22 January 2013 in relation to not continuing with annual rentals at the Brighton Caravan Park from 1 July 2013 was made in full compliance with the Local Government Act 1999 and based on all relevant information that was available to the Council at that time.**
- 3. That Council, after considering the report and submissions reaffirms its decision to disallow annual rentals in the Park consequent on the proposed upgrade.**
- 4. That Ms Marilyn Pearson be advised of Council's decision regarding this review.**

Moved Councillor Looker, Seconded Councillor Huckstepp

First Amendment

1. That the Section 270 Review be received and noted.
2. That the decision made by Council at its meeting on 22 January 2013 in relation to not continuing with annual rentals at the Brighton Caravan Park from 1 July 2013 was made in full compliance with the Local Government Act 1999 and based on all relevant information that was available to the Council at that time.
3. That Council, after considering the report and submissions agrees to set aside a specific area on a short term basis within the park that caravans can move to.
4. That Ms Marilyn Pearson be advised of Council's decision regarding this review.

Moved Councillor Yates, Seconded Councillor Donaldson

Second Amendment**C230413/903**

1. That the Section 270 Review be received and noted.
2. That the decision made by Council at its meeting on 22 January 2013 in relation to not continuing with annual rentals at the Brighton Caravan Park from 1 July 2013 was made in full compliance with the Local Government Act 1999 and based on all relevant information that was available to the Council at that time.
3. That Council, after considering the report and submissions and agrees to:
 - (a) set aside a specific area on a short term basis within the park for caravans to be relocated; and
 - (b) a staged redevelopment of the caravan park, in such a way that the area for the annual agreement holders is the last to be developed, if practicable;
 - (c) that the people with current annual agreements are given a further nine months, (on a temporary basis) from 30 June 2013 to seek alternative accommodation.
4. That Ms Marilyn Pearson be advised of Council's decision regarding this review.

Moved Councillor Bouchee, Seconded Councillor Fisk

The further amendment on being put was

Carried**Division called**

A division was called:

Those voting for: Councillors Fisk, Patton, Dixon, Bouchee, Patterson and Yates (6)

Those voting against: Councillors Looker, Clancy, Donaldson, Lonie and Huckstepp (5).

His Worship the Mayor declared the Second Amendment

Carried

The motion, as amended, on being put was

Carried

Division called

A division was called:

Those voting for: Councillors Fisk, Patton, Dixon, Bouchee, Looker, Clancy, Donaldson, Lonie, Huckstepp and Yates (11)

Those voting against: Nil

His Worship the Mayor declared the motion

Carried

Councillor Patton left the chamber at 8.05pm.

Councillor Yates left the chamber at 8.06pm.

11. MOTIONS ON NOTICE

11.1 Waste Management – Councillor Bouchee (Report No: 145/13)

BACKGROUND

Council recently discussed the management of Food To Green waste recycling at a workshop and previously had discussed the impact of waste management financial impact as a whole, being in the top three major cost drivers for the City of Holdfast Bay.

As a forerunner to implementing any long term and costly initiative around Food To Green waste initiatives, it may be prudent to examine the logistics on a model for Holdfast Bay in more detail, rather than attempting to adopt a one size fits all across Local Govt.

There should be some analysis on the amount of green bins presented for collection and their yields as a starting point along with undertaking an audit of the actual green bin content to evaluate recyclables, contaminants etc. similarly with the Domestic Bin. This would give evidence of the actual capacity to generate more recyclables away from landfill in our area.

I believe our residents are enthusiastic recyclers however I also believe we lack in keeping those residents informed of what is happening particularly in the recycling area around what can and can't be deposited in the green bin in particular, we may see yields grow and landfill needs decrease through a simple but prescriptive education program.

Councillor Patton rejoined the chamber at 8.07pm

Councillor Yates rejoined the chamber at 8.10pm.

Motion

C230413/904

1. **That Administration prepare a comprehensive education program around Council's waste management processes, and in particular what can and cannot be included in the two recyclables collections.**
2. **That Administration also look at what assistance is available to facilitate this through grants or input from Council's Waste Management Contractor.**

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

11.2 **Community Centres – Councillor Looker** (Report No: 149/13)

BACKGROUND

Provision of community centres to enable a range of social and recreational programmes is core council business. There are a variety of models to manage this ranging from Council owned and operated to less prescribed arrangements with independent "not for profit" bodies.

Government policy, as explained in a recent letter to larger community centres, is to favour dealing with 'regions' rather than the more intensive method of working with a multitude of small centres. This approach favours councils and large non profit organisations with multiple centres covering larger geographic areas and having professional staff with the time and professional skills to negotiate grant funding.

In Holdfast Bay, community centres are disconnected and run by small volunteer groups, HBCC being the exception having professional staff. This current model of management needs to be examined to see if it will continue to be appropriate in delivering community services and is capable of attracting available funding through the Government regional approach.

Consideration also needs to be given to how compliance matters are managed. Local committee meetings are often burdened with many statutory requirements and increased personal liability. This is discouraging volunteers who would rather be programme focussed and getting on with the enjoyable things. Alternatively small

voluntary committees may be unaware of the responsibilities of compliance. How this burden on local committees can be eased to free up the enthusiasm for running activities should form part of the report.

The current approach in Holdfast Bay is working now but is unsustainable in the longer term. It is appropriate that investigations are set in motion to work with the community to find a new model of operating. This will ensure continuation and expansion of the many activities and services this community wants and needs as well as meeting compliance requirements and attracting grant funding.

A 12 month time frame to do this may not be unreasonable.

Councillor Dixon left the chamber at 8.16pm.

Councillor Dixon rejoined the chamber at 8.18pm.

Councillor Huckstepp left the chamber at 8.18pm.

Councillor Huckstepp rejoined the chamber at 8.22pm.

Motion

C230413/905

In response to Council's social needs report and government policy approaches, Council, in consultation with stakeholders, prepares a report on appropriate strategies for delivering services, using best practice, through community centres.

Moved Councillor Looker, Seconded Councillor Donaldson

Carried

12. ADJOURNED MATTERS - Nil

13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL - Nil

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 122/13)

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Motion

C230413/906

That the report be noted and items of interest discussed.

Moved Councillor Yates, Seconded Councillor Clancy

Carried

Councillor Patterson left the chamber at 8.25pm.

14.2 **Request for Funds to Defend an Appeal before the Environment, Resources and Development Court for Two, Two-Storey Semi-Detached Dwellings at 37-39 Scholefield Road, Kingston Park** (Report No: 123/13)

This report seeks Council's permission to engage legal assistance to defend an appeal lodged with the Environment, Resources and Development Court against decisions of the Development Assessment Panel made on 22 August 2012 and 23 January 2013 to refuse approval for two, two-storey semi-detached dwellings and associated land division at 37-39 Scholefield Road, Kingston Park.

Councillor Patterson rejoined the chamber at 8.29pm.

Motion

C230413/907

That Council Administration is permitted to expend funds to resource the proper defence of the appeal described in Attachment 1 to this report lodged with the Environment, Resources and Development Court against decisions of the City of Holdfast Bay Development Assessment Panel to refuse applications for two, two-storey semi-detached dwellings and associated land division at 37-39 Scholefield Road, Kingston Park.

Moved Councillor Looker, Seconded Councillor Bouchee

Carried

14.3 **Appointment of Public Meeting Committee for the Heritage and Character Development Plan Amendment** (Report No: 137/13)

An eight week formal public consultation period has commenced in relation to the draft Heritage and Character Development Plan Amendment (DPA).

A Public Meeting has been scheduled and advertised for 7pm on 29 May 2013 at the Civic Centre.

Council is required to appoint a committee to hear representations at the Public Meeting.

Motion

C230413/908

That Council appoints three members to a Committee being

1. Yates
2. Patterson
3. Fisk

to hear deputations at a public meeting to be held following the close of public consultation and to provide advice to Council regarding the outcomes of consultation.

Moved Councillor Bouchee, Seconded Councillor Donaldson

Carried

14.4 **Policy Review – Procurement (Contracts and Tendering) and Disposal of Assets**
(Report No: 132/13)

In November 2012 Council resolved that prior to any sale of land an independent valuation of the land is obtained. The City of Holdfast Bay Procurement (Contracts and Tendering) policy has been reviewed in light of this decision of Council and along with minor changes to the policy it is recommended that a separate policy – Disposal of Assets – be adopted by Council to reflect good practice in the sale of Council assets.

Councillor Lonie left the chamber at 8.34pm.

Motion

C230413/909

That Council:

- 1. Adopts the revised Procurement (Contracts and Tendering) Policy attached to this report; and**
- 2. Adopts the new Disposal of Assets policy attached to the report.**

Moved Councillor Clancy, Seconded Councillor Patterson

Carried

14.5 **2013-14 Draft Annual Business Plan** (Report No: 138/13)

The Draft 2013-14 Annual Business Plan is presented for endorsement and release for community consultation.

It has been developed having regard to the “Our Place” Community Plan 2012-15 (Our Place Plan) Asset Management Plans, Long Term Financial Plan and directions provided from Council.

Motion

C230413/910

- 1. That the Draft 2013-14 Annual Business Plan contained at Attachment 1 be released for community consultation subject to minor alterations and design.**
- 2. That the process for community consultation on the Draft 2013-14 Annual Business Plan, as described in this Report, is endorsed.**

Councillor Lonie rejoined the chamber at 8.36pm.

Moved Councillor Looker, Seconded Councillor Patton

Carried

Division called

A division was called:

Those voting for: Councillors Fisk, Patton, Dixon, Patterson, Looker, Donaldson, Lonie, Huckstepp and Yates (10)

Those voting against: Councillor Bouchee (1).

His Worship the Mayor declared the motion

Carried

14.6 **Information Report – Southern Region Waste Resource Authority** (Report No: 146/13)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Motion

C230413/911

That the information reports of the Southern Region Waste Resource Authority for its meetings held 10 December 2012 and 4 March 2013 is received and noted.

Moved Councillor Huckstepp, Seconded Councillor Yates

Carried

14.7 **Community Engagement Results - Kauri Parade Master Plan** (Report No: 147/13)

The purpose of this report is to seek Council’s final endorsement on the proposed Master Plan for the Kauri Parade Sporting Precinct following community engagement on the plan.

In 2012, Council partnered with One Eighty Sport and Leisure Solutions (180sls), to develop a Master Plan for the Kauri Parade Sporting Precinct. Kauri Parade is one of the three sporting hubs within the City of Holdfast Bay that provides a variety of sport and recreational activities. The development of the Master Plan is a key action of the “Our Place” Community Plan 2012-15.

The Master Plan may not be the final one constructed but gives definition to the project so grant funding can be sought. This project has a 2 – 10 year horizon.

Councillor Donaldson left the chamber at 8.54pm.

Motion

C230413/912

That Council endorses the Master Plan developed for the Kauri Parade Sporting Precinct and external funding opportunities continue to be explored to allow the plan to be implemented.

Moved Councillor Lonie, Seconded Councillor Yates

Carried

14.8 **Budget Update – As At 31 March 2013** (Report No: 150/13)

This report covers the third update of Council's 2012/13 budget conducted as at 31 March 2013.

It has resulted in a reduction in the projected consolidated operating deficit of \$129,637 to a forecast operating deficit of \$406,229. The major reasons are a \$552,750 reduction in depreciation offset by reduced parking revenue of \$285,000 and increased costs of repair and maintenance of public spaces.

Council's net financial liabilities at 30 June 2013 are projected to decrease by \$2.2 to \$22.1 million (comprising \$11.4 million for municipal operations and \$10.7 million for Alwyndor). Council's net consolidated financial liabilities ratio is 44%, in excess of its adopted ceiling of 35%.

Motion

C230413/913

1. **That Council notes the third 2012/13 budget update for Council's municipal operations including:**
 - (a) a decrease of \$119,637 in the projected operating deficit from \$1,077,789 to \$958,152;
 - (b) an increase of \$397,272 in projected net capital expenditure to \$10.62 million;
 - (c) an increase of \$2,657,860 in projected net capital income to \$3.89 million;
 - (d) a decrease in projected net financial liabilities at 30 June 2013 of \$1,827,475 from \$13.21 million to \$11.38 million.

2. **That Council notes the third 2012/13 budget update for Alwyndor operations including:**
 - (a) an increase of \$10,000 in the projected operating surplus from \$541,923 to \$551,923;
 - (b) a decrease of \$342,000 in projected net capital expenditure to \$6.07 million;
 - (c) a decrease in projected net financial liabilities at 30 June 2013 of \$352,000 from \$ 11.06 million to \$ 10.71 million.

Moved Councillor Looker, Seconded Councillor Huckstepp

Carried

15. **RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil**

16. **URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

17. ITEMS IN CONFIDENCE

The Chief Executive Officer, Mr J Lynch declared an interest in the following matter, as it relates to his employment and left the chamber at 8.55pm.

17.1 Chief Executive Officer Employment Contract (Report No: 144/13)**Motion****C230413/914**

- 1. That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
- 2. That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
 - a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) in the matter of/in regards to Chief Executive Officer Employment Contract (Report No: 144/13).**

Moved Councillor Lonie, Seconded Councillor Donaldson

Carried

Council Staff in Attendance: Governance Officer, Ms W Matthews

Chief Executive Officer Employment Contract (Report No: 144/13)

The Chief Executive Officer's employment contract expires on 17 May 2014. The contract provides that Council provide not less than 12 months' notice whether or not a new employment contract will be offered.

The Executive Committee of Council met on 11 April 2013 to consider the Chief Executive Officers performance appraisal and have made some recommendations for council's consideration.

Motion

- 1. That the minutes of the Executive Committee Meeting held 11 April 2013 be received and noted.**
- 2. That the Executive Committee advises Council that it has conducted the annual performance review of the Chief Executive Officer and recommends:**

- (1) **3% remuneration increase from 1 July 2013.**
 - (2) **The Chief Executive Officer's term be extended by 5 years from when his existing employment contract expires on 17 May 2014.**
3. **That Council offers a new employment contract to the Chief Executive Officer as from expiry of the existing contract on 17 May 2014.**

Moved Councillor Looker, Seconded Councillor Clancy

Lost

His Worship the Mayor answered a phone call at 9.03pm.

Motion

C230413/915

1. **That the minutes of the Executive Committee Meeting held 11 April 2013 be received and noted.**
2. **That the Executive Committee advises Council that it has conducted the annual performance review of the Chief Executive Officer and recommends:**
 - (1) **3% remuneration increase from 1 July 2013.**
 - (2) **The Chief Executive Officer's term is extended by 4 years from when his existing employment contract expires on 17 May 2014.**

His Worship the Mayor concluded a phone call at 9.06pm.

3. **That Council offers a new employment contract to the Chief Executive Officer as from expiry of the existing contract on 17 May 2014.**

Moved Councillor Fisk, Seconded Councillor Clancy

Carried

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE

Motion

C230413/916

1. **That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 144/13 including:**
 - **Report**
 - **Attachment****relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act,**

should be kept confidential on the grounds of information contained in 90(3)(a).

- 2. That the minutes are released from confidence after the Mayor has informed the Chief Executive Officer of Council's decision.**
- 3. This resolution will be reviewed within 12 months by the Council.**

Moved Councillor Lonie, Seconded Councillor Patterson

Carried

CLOSURE

The Meeting closed at 9.11pm.

CONFIRMED Tuesday 14 May 2013

MAYOR